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PAPERS AND DOCUMENTS

RELATING TO

THE HAWAIIAN ISLANDS,

COMPRISED IN

SENATE EXECUTIVE DOCUMENTS NO. 45, NO. 57,
NO. 76, AND NO. 77,

FIFTY-SECOND CONGRESS, SECOND SESSION,

*I, Eugene Louis Comstock or
his wife*

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1893.

IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

IN RESPONSE

To Senate resolution of February 4, 1893, relative to the draft of an uncompleted treaty with Hawaii.

FEBRUARY 6, 1893.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

I transmit herewith, as desired by the resolution of the Senate of the 4th instant, a report from the Secretary of State of the 6th instant, with its accompanying correspondence, in relation to the draft of an uncompleted treaty with Hawaii, made in 1854.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 6, 1893.

The PRESIDENT:

The Secretary of State, to whom was referred the resolution of the Senate of the 4th instant requesting the President, "if in his opinion it is not inconsistent with the public interests, to send to the Senate the draft of a treaty, negotiated in 1854, but not completed, between the plenipotentiaries of the United States and the Kingdom of Hawaii, with the correspondence between the two Governments relating to said negotiation," has the honor to transmit herewith a copy of the draft in question, together with copies of the correspondence referred to.

Respectfully submitted.

JOHN W. FOSTER.

DEPARTMENT OF STATE,
Washington, February 6, 1893.

List of accompanying papers.

1. Mr. Marcy to Mr. Gregg, April 4, 1854, No. 6.
2. Mr. Gregg to Mr. Marcy, July 26, 1854, No. 48.
3. Mr. Gregg to Mr. Marcy, August 7, 1854, No. 51.
4. Mr. Gregg to Mr. Marcy, September 15, 1854, No. 52.
(Copy of the treaty draft accompanies Mr. Gregg's dispatch No. 52 of September 15, 1854, included here.)
5. Mr. Gregg to Mr. Marcy, October 2, 1854, No. 54.
6. Mr. Gregg to Mr. Marcy, December 19, 1854, No. 61.
7. Mr. Gregg to Mr. Marcy, December 29, 1854, No. 64.
8. Mr. Marcy to Mr. Gregg, January 31, 1855, No. 12.

Mr. Marcy to Mr. Gregg.

No. 6.]

DEPARTMENT OF STATE,
Washington, April 4, 1854.

SIR: In your general instructions you were furnished with the views of this Government in regard to any change in the political affairs of the Sandwich Islands. The President was aware, when those instructions were prepared, that the question of transferring the sovereignty of those islands to the United States had been raised, and favorably received, by many influential individuals residing therein. It was foreseen that at some period, not far distant, such a change would take place, and that the Hawaiian Islands would come under the protectorate of or be transferred to some foreign power. You were informed that it was not the policy of the United States to accelerate such a change; but if, in the course of events, it became unavoidable, this Government would much prefer to acquire the sovereignty of these islands for the United States, rather than to see it transferred to any other power. If any foreign connection is to be formed, the geographical position of these islands indicates that it should be with us. Our commerce with them far exceeds that of all other countries; our citizens are embarked in the most important business concerns of that country, and some of them hold important public positions. In view of the large American interests there established and the intimate commercial relations existing at this time it might well be regarded as the duty of this Government to prevent these islands from becoming the appendage of any other foreign power.

It appears by your dispatches lately received at this Department that the ruling authorities of the Hawaiian Government have become convinced of their inability to sustain themselves any longer as an independent State, and are prepared to throw themselves upon our protection or to seek incorporation into our political system. Fears are entertained by those who favor such a measure that if the United States should manifest a disinclination to receive the proffered sovereignty of this country, the people would seek elsewhere a less desirable connection, or be given over to anarchy.

The information contained in your last dispatch, No. 10, dated the 7th of February, renders it highly probable that the ruling powers of that Government will have presented to you, as our diplomatic agent, an offer of the sovereignty of their country to the United States. The President has deemed it proper that you should be furnished with instructions for the guidance of your conduct in such an emergency. With this dispatch you will be furnished with a full power to treat with

the present authorities of the Hawaiian Government for the transfer of the Sandwich Islands to the United States. This can only be done by a convention or treaty, which will not be valid until it is ratified by the Senate of the United States.

No intimation has ever been given to this Government as to the terms or conditions which will be likely to be annexed to the tender of the sovereignty. It is presumed, however, that something more than a mere protectorate is contemplated. A protectorate tendered to and accepted by the United States would not change the sovereignty of the country. In that case this Government would take upon itself heavy and responsible duties, for which it could hardly expect compensating advantages.

I understand that the measure proposed by the people, and that in which the present rulers are disposed to concur, is "annexation" as distinguished from protection; and that it is their intention that these islands shall become a part of our Territories and be under the control of this Government as fully as any other of its territorial possessions. In any convention you may make it is expected that the rights to be acquired by the United States should be clearly defined.

Should the sovereignty of these islands be transferred to the United States, the present Government would, as a matter of course, be superseded, or, at least, be subjected to the Federal authority of this country.

It is reasonable to anticipate that the present rulers and chiefs would expect that some provision would be made as compensation to them for the surrender of their political position. This provision could not be, as I conceive, any other than a pecuniary allowance. In this respect the United States would manifest toward them a liberal spirit. Annuities to the amount of \$100,000 to be distributed in such manner as they would prefer might be secured to them in the treaty.

In the convention you may make, you are authorized to provide in the amplest manner for the security of individual property as held at the time of the transfer of the sovereignty, but the reservation of political rights or privileges in behalf of individuals would be inconsistent with the political power which it is proposed to vest in the United States.

If you should succeed in making a treaty transferring the islands to the United States, it is advisable that it should receive the ratification of the Hawaiian Government before it is sent here for the consideration of the President and the Senate. You are directed to induce that Government to send on one or more persons at the same time the treaty is forwarded, clothed with full powers to assent to any modifications of it which may here be made. In view of the great uncertainty as to the terms by which the cession of the sovereignty of the islands may be encumbered the carrying out of this suggestion is deemed to be of great importance.

I have good reason to believe that some of the leading powers of Europe would be very unwilling to see the Sandwich Islands become a part of the United States, and, if an opportunity occurred, would endeavor to defeat any negotiation for that purpose. This consideration and others, make it important that you should bring it to a close as expeditiously as possible. The treaty should be here in time to be submitted to the Senate at its present session.

I am, etc.,

W. L. MARCY.

Mr. Gregg to Mr. Marcy.

No. 48.]

LEGATION OF THE UNITED STATES,

Honolulu, July 26, 1854.

SIR: The Hawaiian cabinet has determined, at length, that it will not do to allow much longer delay in bringing to a close arrangements for annexation. On the 17th a meeting was held, at which Prince Alexander was present, when it was agreed that the minister of foreign relations should immediately proceed, if possible, to arrange and sign a treaty to be submitted to the King for ratification. Mr. Wyllie called on me the next day, and we have since had several conferences, but without as yet arriving at any definite result. The difficulty, I apprehend, is that more will be demanded, in the way of consideration, etc., than ought to be yielded. It is probable that by the next mail it will be in my power to communicate something more definite than I am now able to do. I have the assurance of Mr. Wyllie that, so far as he is concerned, there shall be no occasion to complain of further procrastination, and I can not doubt that he is in earnest. Prince Alexander is responsible for all past delay, and he will not hesitate to incur the responsibility of still more, unless his mind is brought to the conviction which everyone else entertains, that it is impossible for him ever to wear a crown. He evidently sees that the existing Government is in danger, and wishes to be in a condition to escape it when the crisis comes, but *hopes* strongly that it may be averted. If a treaty is once signed he will not oppose its ratification directly and openly, but strive to postpone it to the last moment compatible with safety.

I am convinced that a revolution will soon take place if a treaty of annexation is not concluded. The foreign residents, especially Americans, are becoming impatient under the present state of things, and will not be disposed to endure much longer the feebleness and inefficiency of the Government. They have power enough in their hands, if they act in concert, to do anything they wish, and in a single week could subvert the throne and establish a republic upon its ruins.

A combined British and French squadron of seven vessels—three English and four French—arrived here on the 17th from Callao, having made the passage from Nukuhiva in fourteen days. Its appearance created quite an excitement among all classes of people. On Saturday the English frigate *Pique* joined the fleet, making eight vessels in all, as follows: The frigates *President* and *Pique*, the sloop *Amphitrite*, and the steamer *Virago* (British), under the command of Rear-Admiral David Price; the frigates *La Forte* and *L'Euridice*, the corvette *L'Artemise*, and the brig *L'Obligado* (French), commanded by Rear-Admiral Febvrier des Pointes. On Tuesday they all sailed in a northwesterly direction. I could not learn satisfactorily who was the commanding officer of the entire squadron, as the English and French accounts *differed materially* on that point, though I presume it can not be doubted that Admiral Price is the official senior of Admiral des Pointes. It is evident that no great harmony of feeling exists between the different portions of the fleet, and I learn from pretty good authority that a separation will soon be deemed expedient.

On Friday the two admirals and their officers had an audience at the palace which was marked by a circumstance that ought to be mentioned. After the usual courtesies, addresses, etc., were over, the French admiral, *on the suggestion of Mons. Perrin*, said to the King, through an interpreter, that he hoped there was no thought of alienating the sovereignty of the Kingdom, as such a thing would lead to difficulty

and perhaps war with England and France, which it would be for the interest of His Majesty to avoid. The King made no reply whatever.

* * * * *

Very respectfully, your obedient servant,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 51.]

LEGATION OF THE UNITED STATES,
Honolulu, August 7, 1854.

SIR: I am only able to write briefly by the mail which goes this afternoon, being much debilitated by an attack of sickness from which I am just convalescent.

* * * * *

The government here rests on a volcano. Its subversion is within the power of the foreign residents, and I am prepared to witness an outbreak at any moment. The dissatisfaction with the present state of things is daily increasing, and a crisis of some sort is inevitable.

On Tuesday evening last there was an intense alarm among the native population, on account of the supposed presence of "filibusters." The troops were called out and remained under arms all night. The apprehension seems to have been excited by the discovery of a box of pistols among some goods landed at the custom-house.

I have succeeded in arranging the terms of a treaty of annexation with the minister of foreign relations, which meets the approval of the Crown Prince and cabinet. But it is not yet signed, and I am unable to give you any assurance that it will be immediately completed. The pretense of delay is the supposed necessity of consulting the King, which for some time has been impossible, on account of His Majesty's illness.

The great difficulty I had to encounter was the inveterate prejudice of the Hawaiian authorities against a territorial form of government, which could not be overcome. Finding it impossible to provide otherwise, I finally consented to agree to the admission of the islands as a State, as soon as it could be done in conformity with the principles and requirements of the Federal Constitution, leaving the existing laws, so far as they are republican and consistent with such Constitution, in full force and effect in the meantime.

There was also much controversy as to the extent of consideration. The Government absolutely refused to listen to anything short of annuities to the extent of \$300,000, and I finally yielded to the *sine qua non* which they presented, with the understanding that it was solely *ad referendum*.

I had intended to send you a copy of the treaty as agreed on, for information, but I have been altogether unequal to the task of making it in time for the present mail.

I have notified the minister of foreign relations that there must be a speedy *diplomatical* conclusion of our negotiations, and expressed the view that any further delay will be inconsistent with the position of the Government of the United States in the transaction. He assents to the propriety of my representations, and promises to spare no efforts to bring about the signature of the treaty.

I may therefore express the hope that a final result will soon be attained. But I fear the occurrence of a state of things which will place

me in some embarrassment. There is reason to believe that upon the ratification of the treaty there will be a desire and *a necessity* of an immediate transfer of the sovereignty of the islands to the United States in order to guard against pressing danger. If such a crisis occurs I shall deem myself justified in accepting a provisional transfer, subject to the provisions of the treaty, or such arrangements as may be finally made by the two parties. This, I have no doubt, would be decisive as to the influences hereafter to prevail in the archipelago, whatever might be the view of our Government as to the cession. A flood of emigration would pour in from California the moment our flag was raised, sufficient to put a check upon all future British and French pretensions.

Yesterday I had an audience at the palace for the officers of the St. Mary. The King was unable to be present, owing to his illness, but he was represented by the Kuhina Nui, who always stands in his place when he can not perform his functions.

The British consul-general has demanded a personal audience of the King, to communicate to him certain views of his Government, which will take place as soon as His Majesty is recovered.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 52.]

LEGATION OF THE UNITED STATES,
Honolulu, September 15, 1854.

* * * * *

The negotiations for annexation are in the same condition as when my dispatch (No. 51) of the 7th instant was written. On Saturday last the cabinet had an audience of the King and laid before him a copy of the treaty in the Hawaiian language, and through Mr. Armstrong, as interpreter, explained it in all its particulars. He expressed himself satisfied, as I am advised, but stated that he wished to consult particularly with a few of his chiefs before final action was taken. Unfortunately he has since been in such a state of infirmity as to be able to consult with no one, and it is difficult to predict when his present fit of illness will terminate.

I have insisted upon the immediate signature of the treaty, and Mr. Wyllie admits that, according to diplomatic usage, there should be no further delay. In my last dispatch I stated that I had notified him that the negotiations must be at once concluded. I have since addressed him a letter to the same effect, setting forth strongly the reasons which induced me to take this course. A copy of it is herewith inclosed for your information. Its representations I considered would have an important bearing in bringing matters to an issue, and I still think this will be the effect. I hope I did not go further than the President will be willing to approve. The peculiar circumstances which exist seemed to demand a strong expression on my part, with all the incidental references and suggestions which are employed. I acted with regard to what I supposed to be the peculiar exigencies of the times, and it has been intimated to me that my course will probably contribute to hasten matters to a conclusion.

I forward also a copy of the treaty, the terms of which were finally settled between Mr. Wyllie and myself on the 19th ultimo. I have al-

ready informed you of the utter impossibility of such provisions as I desired in the second and eighth articles. As they stand they will be regarded as *ad referendum* so far as the United States are concerned. This, of course, was the only ground upon which I could place my assent to them, especially the last. From the protocols, which are not yet all in a condition to be copied for transmission, the true character of the negotiation and its embarrassing circumstances will more fully appear. I shall probably be able to send them by the next mail.

The provisions of the separate article were made a matter of positive demand by the Hawaiian cabinet. I refused to incorporate them into the body of the treaty, because they contemplate an object which, if effected at all, must be brought about before any final ratification can take place. The ratification of the treaty by this Government would undoubtedly quell any disturbances that might arise from American sources, but a conditional cession, as contemplated by such article, would forever practically settle all questions as to future influence and jurisdiction. The moment our flag was raised a flood of immigration from California would pour in, sufficient, at least, to make the islands thoroughly American and to secure an equitable and fair arrangement if the terms of the present treaty are deemed unsatisfactory.

The return of Judge Lee from the island of Maui is expected in a few days. It was through his persuasions that the King made advances for annexation, and his influence with the chiefs and native population generally is greater than that of any man on the islands. I learn that he objects to the second article of the treaty on the ground that he does not think it provides explicitly enough for a State government. In this respect I have gone to the utmost limit of what, in my judgment, the Constitution allows, and if his advice leads this Government to exact impracticable conditions I shall, of course, be fully prepared to reject them.

The British consul-general has advised this Government that he will not, for the present, seek the audience which he formerly demanded, as I advised you in my last dispatch.

The effect of the publications in the New York Daily Tribune of July 20 has been unfortunate here in giving to the British consul-general weapons to fight against the United States. I regret very much that any opportunity should have occurred at this juncture to confirm, in the minds of the Hawaiians, the false impressions which are constantly sought to be created in regard to our purposes and policy. If the present negotiations fall through I shall attribute it almost entirely to the effect of such publications as that of the Tribune and other papers of like character.

I have, etc.,

DAVID L. GREGG.

Treaty of annexation concluded between His Majesty the King of the Hawaiian Islands and the United States of America.

His Majesty the King of the Hawaiian Islands, being convinced that plans have been, and still are, on foot hostile to his sovereignty and to the peace of his Kingdom, which His Majesty is without power to resist, and against which it is his imperative duty to provide, in order to prevent the evils of anarchy and to secure the rights and prosperity of his subjects, and having in conscientious regard thereto, as well as to the general interests of his Kingdom, present and future, sought to incorporate his Kingdom into the Union of the United States, as the means best calculated to attain these ends and perpetuate the blessings of freedom and equal rights to himself, his chiefs, and his people; and the Government of the United States,

being actuated solely by the desire to add to their security and prosperity and to meet the wishes of His Majesty, the King of the Hawaiian Islands, and of his Government, have determined to accomplish by treaty objects so important to their mutual and permanent welfare.

For that purpose His Majesty Kamehameha III, King of the Hawaiian Islands, has granted full powers and instructions to Robert Crichton Wyllie, esquire, his minister of foreign relations, his secretary at war and of the navy, member of his privy council of state, member of the house of nobles, and chairman of the commissioners of his privy purse; and the President of the United States has invested with like powers David Lawrence Gregg, esquire, commissioner of said States to the said Kingdom; and the said plenipotentiaries, after exchanging their full powers, have agreed to and concluded the following articles:

ARTICLE I.

His Majesty the King of the Hawaiian Islands, acting in conformity with the power vested in him by the constitution of his Kingdom, and with the wishes of his chiefs and people, and of the heads of every department of his Government, cedes to the United States his Kingdom, with all its territories, to be held by them in full sovereignty, subject only to the same constitutional provisions as the other States of the American Union. This cession includes all public lots and squares, Government lands, mines and minerals, salt lakes and springs, fish ponds, public edifices, fortifications, barracks, forts, ports and harbors, reefs, docks, and magazines, arms, armaments and accouterments, public archives, and funds, claims, debts, taxes and dues existing, available, and unpaid at the date of the exchange of the ratifications of this treaty.

ARTICLE II.

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other States of the Union.

ARTICLE III.

His Majesty the King of the Hawaiian Islands, his chiefs and subjects of every class, shall continue in the enjoyment of all their existing personal and private rights—civil, political, and religious—to the utmost extent that is possible under the Federal Constitution, and shall possess and forever enjoy all the rights and privileges of citizens of the United States, on terms of perfect equality, in all respects, with other American citizens.

ARTICLE IV.

The decisions of the board of land commissioners made and not appealed from, at the date of the final ratification of this treaty, shall be and remain forever valid and undisturbed, and all titles to real estate which are now, or shall have then been declared valid under the laws of the Hawaiian Kingdom, shall be held to be equally valid by the United States, and measures shall be adopted by the United States for the speedy and final adjudication of all unsettled claims to land in conformity with the laws and usages under which they may have originated.

ARTICLE V.

All engagements of whatever kind, affecting the rights of corporations or individuals, validly contracted, and lawfully incumbent upon the King's Government or the Hawaiian nation to pay and discharge, shall be respected and fulfilled in as prompt, full, and complete a manner as they would have been respected and fulfilled had no change of sovereignty taken place.

ARTICLE VI.

The public lands hereby ceded shall be subject to the laws regulating the public lands in other parts of the United States, liable, however, to such alterations and changes as Congress may from time to time enact. The grants of land for the promotion of education heretofore made by the Government of the King of the Hawaiian Islands shall be confirmed by the United States, which, in addition thereto, shall

grant and set apart for the purposes of common schools, seminaries of learning, and universities so much of the public lands and of the proceeds thereof as may be equal proportionally to the grants for such purposes in any of the States of the Union.

ARTICLE VII.

The laws of the Hawaiian Kingdom, so far as they are compatible with republican institutions and conformable to the Constitution of the United States, shall be and remain in full force and effect until modified, changed, or repealed by the legislative authority of the State contemplated by this treaty.

ARTICLE VIII.

In consideration of the cession made by this treaty, and in compensation to all who may suffer or incur loss consequent thereon, the United States shall pay the aggregate sum of three hundred thousand dollars (\$300,000) as annuities to the King, the Queen, the crown prince, those standing next in succession to the throne, the chiefs, and all other persons whom the King may wish to compensate or reward, to be apportioned as may be determined by His Majesty the King, and his privy council of state, which amounts to be apportioned as aforesaid, shall be paid ratably without deduction or offset on any ground or in any shape whatever, to the parties severally named in such apportionment, at Honolulu, on the first day of July of each successive year so long as they may live. It is, however, expressly agreed upon that on the demise of His present Majesty the annuity of the immediate heir to the throne shall then be increased to the same amount before allowed and paid to the King himself.

As a further consideration for the cession herein made, and in order to place within the reach of the inhabitants of the Hawaiian Islands the means of education, present and future, so as to enable them the more perfectly to enjoy and discharge the rights and duties consequent upon a change from monarchical to republican institutions, the United States agree to set apart and pay over for the term of ten years the sum of seventy-five thousand dollars per annum, one-third of which shall be applied to constitute the principal of a fund for the benefit of a college or university, or colleges or universities, as the case may be, and the balance for the support of common schools, to be invested, secured, or applied as may be determined by the legislative authority of the Hawaiian Islands, when admitted as a State into the Union as aforesaid.

ARTICLE IX.

Immediately after the exchange of the ratifications of this treaty the President of the United States shall appoint a commissioner, who shall receive in due form, in the name of the United States, the transfer of the sovereignty and territories of the Hawaiian Islands; also all public property, archives, and other things hereinbefore stipulated to be conveyed, and who shall exercise all executive authority in said islands necessary to the preservation of peace and order, and to the proper execution of the laws, until the State contemplated in this treaty can be duly organized and admitted as such State; and until the arrival of such commissioner, all departments of His Majesty's Government shall continue as now constituted.

ARTICLE X.

This treaty shall be ratified by the respective high contracting parties, and the ratifications exchanged at the city of Honolulu within eight months from the date hereof, or sooner if possible, but it is agreed that this period may be extended by mutual consent of the two parties.

In witness whereof, we, the undersigned, plenipotentiaries of His Majesty the King of the Hawaiian Islands, and of the United States of America, have signed three originals of this treaty of annexation in Hawaiian and three in English, and have thereunto affixed our respective official seals.

Done at Honolulu this — day of —, in the year of our Lord one thousand eight hundred and fifty-four.

SEPARATE AND SECRET ARTICLE.

Whereas it is desirable to guard against the exigencies declared in the preamble to the foregoing treaty, and to secure the King of the Hawaiian Islands, his chiefs, and all who reside under his jurisdiction from the dangers therein referred to and expressed, it is hereby provided and expressly agreed that at any time before the

final exchange of the ratifications of said treaty, if the same shall be duly ratified on the part of His Majesty the King and satisfactory notice thereof given to the commissioner of the United States, it shall be competent for His Majesty, by proclamation, to declare his islands annexed to the American Union, subject to the provisions of such treaty as negotiated; and the commissioner of the United States, for the time being, shall receive and accept the transfer of the jurisdiction of the said islands, in the name of the United States, and protect and defend them by the armed forces of the United States, as a part of the American Union, holding the same for and in behalf of his Government and exercising the jurisdiction provided for in said treaty, with the understanding, however, that in case the said treaty is not finally ratified, or other arrangement made by the free consent and to the mutual satisfaction of the contracting parties, the sovereignty of the islands shall immediately revert, without prejudice, to His Majesty, or his immediate heir, in the same conditions as before the transfer thereof; and it is further understood and agreed that this article shall be as binding for all the ends and purposes herein expressed as if it formed a part of the foregoing treaty.

Mr. Gregg to Mr. Marcy.

No. 54.]

LEGATION OF THE UNITED STATES,
Honolulu, October 2, 1854.

SIR: In my dispatch of the 7th ultimo (No. 41) I mentioned that the British consul-general had demanded an audience of the King for the purpose of communicating to him certain views of his Government. It was first appointed for the 6th ultimo, the same day as that fixed for the audience to the officers of the *St. Mary*, but the King being unable on account of illness to attend it was then postponed. Subsequently, however, although Gen. Miller at first declined, an arrangement was made to receive him on the 18th, when he made an extemporaneous speech of an hour and a quarter against annexation to the United States and in dispraise of our country, her Government, and people.

The substance of his remarks has been stated to me by those who heard them. He deprecated annexation to the United States and represented it to be one of the worst evils which could befall the Hawaiian race, denouncing our institutions as corrupting in their tendency and wholly unequal to protect in security the enjoyment of life and property. As an illustration, he referred to California and described numerous disorders, which he alleged had prevailed there, in the strongest terms, predicting that the introduction of American rule in these islands would be the signal for the commencement of a similar state of things, in which the rights of the natives would be altogether lost sight of and sacrificed. He read at length the articles in the New York Tribune of July 20 and the Herald of a previous date, on the subject of annexation, to show that the designs of our Government were hostile to Hawaiian interests and ought to be regarded in no friendly light. These papers, he insisted, were fair and honest, rising above the corrupting tendency of republican institutions, and entitled to great weight in forming an opinion of the policy of the American nation. He complained of the course of the minister of foreign relations, charging him with a want of openness and candor and stating that he was too much disposed to publish matters which ought to be kept secret. As an instance, he referred to the joint protest of himself and Mons. Perrin, last year, which, he said, had been unnecessarily communicated to Mr. Severance, who had made a long rigmarole of a reply, and that his rejoinder to that reply had been suppressed.

I have the best reason in the world for believing that in this respect Gen. Miller's memory was at fault, *as he never made any rejoinder whatever*. He also entered into an argument to refute what I took occasion to say on the 4th of July relative to the merits of colonial government and the law of primogeniture, praising the latter as a beneficent institution which gave England a class of gentlemen and statesmen not to be surpassed in the world. When he had concluded the King replied as follows:

I have heard what you have said to me in the name of your Government. I am not sure that I have clearly understood it all, but I shall consider it so far as I may be able to recollect it. I would prefer that in all matters which relate to my sovereignty, in which my chiefs and people have a deep interest, communications should be made in writing so as to prevent misunderstandings and mistakes either by me or them.

The speech of Gen. Miller as I have heard accounts of it *from authentic sources*, was an outrage upon all propriety and insulting to the United States. An accurate statement of what transpired at the audience was drawn up, as I have reason to believe, by the minister of foreign relations and submitted to Gen. Miller for revision. He promised to write out the substance of his remarks, but as yet has not done so. I have assurances that a copy will be communicated to me at the earliest practicable moment. Had not the audience been what is termed private, I should have requested officially an account of what took place, and shall yet find some just reason for doing so if it is not received as I anticipate through the dictates of a just and proper courtesy, which the minister of foreign relations has on every occasion heretofore been willing to extend.

On Thursday last (September 28) the officers of the *Portsmouth* and *St. Mary* had a royal audience by special invitation from the King. The invitation was conveyed to me on the preceding day through the minister of foreign relations. The whole affair may be regarded as exceedingly complimentary. Such a thing as an invitation for an occasion of this kind was never before known here. Capt. Dornin is a great favorite among all classes of the Hawaiian people, commanding universal respect and confidence. It is perhaps to this fact, as much as to anything else, that the extraordinary courtesy of the occasion may be attributed. But it may be said undoubtedly in addition that the Hawaiian authorities are especially desirous of cultivating friendly relations with the United States, and look forward to the time when their country may constitute an integral portion of the great North American Republic.

Since my dispatch of the 15th ultimo there has been no progress in regard to the treaty of annexation. The crown prince is absent on the Island of Hawaii, but he has been sent for and his return is daily expected. This step resulted from my letter to the minister of foreign relations of the date of September 12, a copy of which I have already transmitted for your information. I inclose herewith an acknowledgment of its receipt, from which you will perceive the cause of any recent delay that has occurred.

I now feel some confidence that immediately upon the arrival of the prince, the treaty will be signed and ratified. The King is unwilling to have any action taken in his absence, but at the same time anxious to bring matters to a speedy conclusion. Liholiho has already given his formal assent to the negotiations so far, by countersigning with the ministers the protocols and also the draft of the treaty, a copy of which I have sent you. Present appearances indicate that the period of pro-

crastination is nearly at an end, and I indulge the expectation of being able to send home a treaty of annexation in time for the commencement of the next session of Congress.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 61.]

LEGATION OF THE UNITED STATES,
Honolulu, December 19, 1854.

SIR: The King of the Hawaiian Islands, Kamehameha III, died on Friday last, the 15th instant, after an illness of about two weeks. He was born on the 17th of March, 1813, being in his forty-second year. By his subjects he was universally beloved, and among them the manifestations of grief are universal and striking. With scarcely an exception the resident foreigners respected him and confided in his justice and generosity. His partiality to Americans has always been strong, and it will be universally conceded that by his decease they have lost a faithful and honorable friend.

As soon as his death was known, minute guns were fired from the fort on shore and by all the vessels of war in the harbor.

On the same day the accession of the Prince Royal Alexander Liholiho to the throne, under the style of Kamehameha IV, was proclaimed and received universal acquiescence. The young monarch will be 21 years of age on the 9th of February next. By the Hawaiian laws the age of majority for males is fixed at *twenty*, so that he becomes at once ruler *de facto* of the Kingdom.

But few young men of his years have more ability or intelligence. His general education is good and for sometime past he has been accustomed to take part in the management of public affairs. A few years since, with his older brother, he visited the United States and Europe, and evidently derived much profit from the opportunity thus placed within his reach. His manners and habits are plain and simple, in consistency with the American education he has received.

The cabinet ministers and members of the privy council placed their offices at the disposal of the new sovereign yesterday, but he desired them to remain for the present in the discharge of their several functions.

The King's confidential and most influential adviser is the Hon. William L. Lee, chief justice of the supreme court, a thorough American and a man of undoubted integrity. On the 2d instant he resigned his office on account of ill health, but his resignation was not then accepted, and the present King absolutely refuses to allow him to quit his position, promising to have such an arrangement made as will relieve him of his most burdensome duties.

* * * * *

The salute at sunrise on the 16th, referred to in my letter to the minister of the 18th, was participated in by the *St. Mary*, but not by the English and French ships in port, probably for the reason that they were not prepared to follow the Hawaiian and American salutes. "The royal salute of etiquette" appears to have been arranged for the purpose of giving them an opportunity of making up for the omission of the morning.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 64.]

LEGATION OF THE UNITED STATES,
Honolulu, December 29, 1854.

SIR: * * * From information which has recently come to my knowledge, I am inclined to entertain the opinion that the present head of the Government will be disposed to preserve, if possible, the separate independence of the Hawaiian Islands. I anticipate, therefore, a notification, as soon as affairs are somewhat settled, to the effect that the negotiations for annexation to the United States are no longer to be entertained. This is rather a matter of inference than of positive certainty; but my own mind is convinced that the anticipations I entertained will prove to be well founded.

I think it also probable that efforts will be made to secure the protection of the existing sovereignty by the United States, France, and Great Britain. That foreign protection of some kind will be sought I regard as almost a certainty. I should be glad to receive instructions to guide my conduct in the event of any such question being brought up for consideration.

The ministers who will doubtless be reappointed are men of honesty and integrity, but my observation leads me to conclude that in their estimation the retention of office is a paramount consideration. Their great fault is weakness and not perversity of purpose. Besides, their views are all against the present administration of the United States, and it is not at all unlikely that they conceive it to be fair and just to pursue every legitimate course to play advisedly into the hands of those who desire political changes. These remarks are especially to be applied to the American elements of the Hawaiian Government.

I have, etc.,

DAVID L. GREGG.

Mr. Marcy to Mr. Gregg.

No. 12.]

DEPARTMENT OF STATE,
Washington, January 31, 1855.

SIR: The policy of the United States in relation to the future of the Sandwich Islands is presented in the instructions heretofore given to you. That policy is not to accelerate or urge on any important change in the government of that country, but if it has or should become so far enfeebled that it can not be continued, and the sovereignty of the islands must be transferred to another power, then a state of things will exist in which it will be proper for the United States to have a regard to the future condition of that country.

If the Hawaiian Government and people become convinced of the necessity of such a change, it is probable that they will, if left to their free choice, look to the United States as the country to which they would wish to be united. To a proper arrangement of this kind this Government certainly has no objection.

My dispatch of the 4th of April last has reference to such a contingency which it was then supposed was about to happen. In case a transfer of the islands was proffered to the United States, you were directed to enter into negotiations as to the terms of it and conclude a treaty on that subject. The outlines of such a treaty were contained in that dispatch.

You have apprised the Department that as soon as negotiations were opened you perceived that stipulations different from those indicated in your instructions were insisted on, and you very properly notified the Hawaiian authorities that you could only entertain them as matters to be referred to your Government for its approval or rejection.

The draft of a treaty you have forwarded to the Department has been considered by the President, and he directs me to say that he can not approve of some of the articles. If ratified in its present shape at Honolulu and sent hither, he would not probably submit it to the Senate. There are in his mind strong objections to the immediate incorporation of the islands in their present condition into the Union as an independent State. It was expected that the Hawaiian Government would be willing to offer the islands to the United States as a territory, and to leave the question in relation to their becoming a State to the determination of this Government, unembarrassed by stipulations on that point. The interests of both parties would seem to indicate this as the wisest course. A treaty which would embarrass the United States in their action on this question would therefore be objectionable.

There are other objections to the draft which you have sent to the Department, though less formidable than that which the second article presents. The amount to be paid as annuities, etc., according to the draft, is much larger than was contemplated.

I think it would be proper that you should inform the Hawaiian Government that the United States would not be likely to approve of a treaty differing in important particulars from the terms contained in the dispatch of the 4th of April.

This Government will receive the transfer of the sovereignty of the Sandwich Islands with all proper provisions relative to the existing rights and interests of the people thereof, such as are usual and appropriate to territorial sovereignty. It will be the object of the United States, if clothed with the sovereignty of that country, to promote its growth and prosperity. This consideration alone ought to be a sufficient assurance to the people that their rights and interests will be duly respected and cherished by this Government.

In presenting objections to the draft of the treaty which you have sent to this Department, the President desires me to assure you that he takes no exception whatever to your course in this difficult and embarrassing negotiation, but, on the contrary, it is highly approved. Your efforts have been properly directed and your ability is appreciated and commended. It gives me pleasure to concur in and communicate the President's approbation of your conduct.

I am, etc.,

W. L. MARCY.



IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*Copies of correspondence between the Governments of the United States
and Great Britain relative to the Sandwich Islands.*

FEBRUARY 9, 1893.—The injunction of secrecy removed and ordered to be printed.

To the Senate of the United States:

I transmit to the Senate a report from the Secretary of State, with accompanying papers, in answer to their resolution of the 2d ultimo.

FRANKLIN PIERCE.

WASHINGTON, March 3, 1854.

THE PRESIDENT OF THE UNITED STATES:

The Secretary of State, to whom was referred the resolution of the Senate of the 2d instant requesting the President to communicate to that body, if not incompatible with the public interest, "copies of all correspondence between the Governments of the United States and Great Britain in regard to the Sandwich Islands, including copies of all communications between the Secretary of State and Mr. Fox, the British minister, during the years 1843 and 1844, in regard to the independence of those islands, and especially of the letters of Mr. Fox to Mr. Upshur of the 25th of June, 1843, and of Mr. Upshur to Mr. Fox of the 5th of July, 1843, also a copy of any protest or other communication from the King of the Sandwich Islands to this Government in regard to the seizure of those islands by Lord George Paulet, commander of Her Britannic Majesty's ship *Carysfort*, and of any reply of this Government thereto," has the honor to lay before the President the papers mentioned in the subjoined list.

Respectfully submitted,

W. L. MARCY.

DEPARTMENT OF STATE,
Washington, February 15, 1854.

List of accompanying papers.

Mr. Everett to Mr. Webster, July 1, 1842, extract.
 King Kamehameha III to the President, March 10, 1843.
 Mr. Webster to Mr. Everett, March 23, 1843.
 Mr. Everett to Mr. Webster, March 28, 1843, extract.
 Mr. Everett to Mr. Legare, June 1, 1843, extract.
 Mr. Everett to Mr. Legare, June 3, 1843.
 Mr. Legare to Mr. Everett, June 13, 1843, extract.
 Mr. Everett to Mr. Legare, June 14, 1843, extract.
 Mr. Fox to Mr. Upshur, June 23, 1843.
 Mr. Everett to Mr. Legare, July 1, 1843, extract.
 Mr. Upshur to Mr. Fox, July 5, 1843.
 Mr. Everett to Mr. Upshur, August 15, 1843, extract.
 Mr. Everett to Mr. Upshur, September 28, 1843, extract.
 Mr. Everett to Mr. Nelson (with inclosure), April 24, 1844.

[Extract.]

Mr. Everett to Mr. Webster.

No. 16.]

LEGATION OF THE UNITED STATES,

London, July 1, 1842.

* SIR: * * * Mr. Brinsmade, the commercial agent of the United States to the Sandwich Islands, lately arrived here. He is entrusted with letters from the King of those islands to the Sovereign of Great Britain and France, of purport similar to that of which he was the bearer to the President. I introduced him to Mr. Addington, under secretary of state, who appeared to take an interest in his errand.

I am, sir, with the highest respect, your obedient servant,

EDWARD EVERETT.

DANIEL WEBSTER, Esq.,

*Secretary of State.**Kamehameha III to the President.*

Kamehameha III, Native King of the Sandwich Islands, to His Excellency John Tyler, the President of the United States of America.

GREAT AND GOOD FRIEND: In trouble and difficulty we present for consideration to the President the unfortunate situation in which we and our Government are placed.

Demands upon us unsustained by the acknowledged laws of nations and unfounded injustice were for the first time presented by Lord George Paulet, Captain of Her Britannic Majesty's Ship *Carysfort*, then lying in the harbor of Honolulu, with a threat of coercive measures in case of noncompliance within 19 hours. Our proposals for discussion and negotiation, through our principal adviser, were declined with rudeness, and we were compelled, without a hearing, to yield to demands which we believe to be arbitrary and unjust as regards ourselves, oppressive and illegal as regards foreign residents.

We have been compelled to acknowledge an acting consul of Her Britannic Majesty against whom there were positive objections susceptible of explicit proof, without the grounds of our refusal being

heard or considered. The acknowledged consul of Her Britannic Majesty had suddenly and secretly withdrawn from these islands without soliciting an interview or giving us any sort of notice of his intentions previous to his departure. After his departure we received notice that he had delegated his consular functions to Alexander Simpson, who was a known and declared enemy of our Government, who had openly insulted the chief magistrate of this island and other high officers of our appointment, who had publicly threatened to involve us in difficulties, and whose recognition as consular agent was protested against by two British subjects who represented the chief commercial interests of Great Britain in these islands.

Compliance has been compelled with demands violating the obligations of contracts and contravening laws for the collection of debts which have been established for the general benefit in accordance with the statutes of civilized nations, by compelling us to annul the decisions of juries, after the cases had been dismissed, and to grant new trials contrary to law, and by compelling us to remove attachments levied by one British resident upon the property of another, in due course of law and under the usual formalities.

Precluded from negotiation and unable to repel by force, we yielded to these requisitions, under protest of embracing the earliest opportunity of representing them more fully to Her Britannic Majesty.

Compliance having been thus procured to the foregoing demands, others were successively preferred by Her Britannic Majesty's acting consul (now acknowledged) more unjust, exorbitant, and arbitrary; claims for heavy indemnities where no damage was proven and only alleged on frivolous pretexts and demands for damages in a case still pending under the previous protest to Her Britannic Majesty.

We were called upon to violate every principle of equity, by setting aside the decision of juries in several cases without any just cause being pretended why new trials should be granted; these demands were enforced at private interviews between ourselves, his lordship and Her Britannic Majesty's acting consul. The subject was only verbally canvassed, written negotiations were positively refused, and even written statements and proofs and copies of the claims preferred were denied. The only alternatives offered us were, immediate resolve to violate the laws by acts illegal and oppressive, immediate admission and payment of claims to indemnity so loosely supported, or immediate hostilities. Without force to resist hostilities, without resources to meet the payment of the heavy indemnities demanded, and firmly resolved to support law and justice, we adopted the only peaceful alternative left, to throw ourselves upon the generosity of the British nation by a conditional cession of these islands to Her Britannic Majesty. To have awaited hostilities would have been to expose to destruction the property and jeopardize the lives of a large number of foreign residents who are American citizens—to have complied with the demands urged would have been to sanction oppressive and illegal acts affecting the rights and prospects of American citizens also, and an open violation of the stipulations with the United States in 1826.

Placed in difficulties from which we could not extricate ourselves with honor and justice, compelled to immediate decision and threatened with immediate hostilities, we have, with the advice and consent of our chiefs, signed with a heavy heart and many tears the deed of provisional cession and have permitted the British flag to be planted in all our islands, but under the guns of a frigate and at the point of the bayonet.

Relying on the magnanimity and firmness of the United States, we appeal to the President to interpose the high influence of the United States with the Court of England to grant us an impartial hearing and procure us justice, to induce Her Britannic Majesty to withdraw from the sovereignty of these islands and leave us as we have been, *an independent government supported in our right.*

We have labored to civilize and improve our islands, we have adopted the laws of the United States and of Britain, we have appointed upright and capable American citizens and British subjects to offices of trust and responsibility, in order that their functions might be exercised with energy and fidelity, we have adopted all suggestions which would tend to put the commercial intercourse of American citizens with us upon the best footing. We have been gratified with the large and increasing number of American residents. We confidently appeal to the Americans on these islands engaged in mercantile and commercial pursuits to testify to the honesty of our intentions and our capabilities for self-government, and we acknowledge them to have been the most consistent and efficient supporters of our government.

We look to the United States with peculiar feelings of respect and gratitude. To the benevolence and enterprise of that great people we owe the introduction of the Christian religion, of civilization and laws, of commerce and agriculture, and the large and respectable number of our foreign residents.

We ask of you to secure and preserve the great interests common to us and you, and arrest the course of events so prejudicial to both, and we shall never cease to be grateful for your aid.

And we pray the Almighty God to have your excellency, our great and good friend, in His most holy keeping.

Written at Honolulu, Island of Oahu, Hawaiian (Sandwich) Islands, this 10th day of March, Anno Domini 1843.

By your good friend,

[L. S.]

KAMEKAMEHA.

Premier:

KEKAULURKI.

Mr. Webster to Mr. Everett.

No. 34.]

DEPARTMENT OF STATE,
Washington, March 23, 1843.

SIR: The course adopted by this Government in regard to the Sandwich Islands has for its sole object the preservation of the independence of those islands and the maintenance by their Government of an entire impartiality in their intercourse with foreign states. The United States desire to exercise no undue influence or control over the government of the islands, nor to obtain from it any grant of exclusive privileges whatever. This was solemnly declared in the President's message to Congress; and it is declared also in the instructions given to Mr. Brown, of which you will receive herewith a copy.

The President would exceedingly regret that suspicion of a sinister purpose of any kind on the part of the United States should prevent England and France from adopting the same pacific, just, and conservative course towards the government and people of this remote but interesting group of islands.

I am, sir, etc.,

DANL. WEBSTER.

EDWARD EVERETT, Esq., etc.

[Extract.]

Mr. Everett to Mr. Webster.

No. 34.]

LONDON, March 28, 1843.

SIR: * * * Lord Aberdeen told me the other day that he had signified to the French ambassador that England could not agree to any encroachment on the Sandwich Islands, and the Count de Ste. Aulaire replied that none was contemplated. Lord Aberdeen added that this Government would distinctly recognize the independence of these islands and presumed France would do the same. He hoped our missionaries would abstain from all attempt to exercise political influence.

* * • * * • *

I am, sir, with great respect, your obedient servant,
EDWARD EVERETT.

DANIEL WEBSTER, Esq.,
Secretary of State.

[Extract.]

Mr. Everett to Mr. Legaré.

No. 40.]

LONDON, June 1, 1843.

SIR: * * * The immediate object of my interview with Lord Aberdeen was to make inquiry relative to a report contained in the papers of the week that the sovereignty of the Sandwich Islands had been ceded to the Queen of Great Britain and possession taken by Lord George Paulet, of the ship of war *Carysfort*, the British officer commanding in those seas. This report will no doubt have attracted your notice, and, following so closely after the official recognition of the independence of these islands by the United States and Great Britain herself, is well calculated to produce uneasiness and surprise, and in this light I spoke of it to Lord Aberdeen. He said they were entirely without information on the subject beyond what the newspapers contained, and had no other reason to believe in the fact of the occupation. He could only say, at present, that if any such thing had taken place it was entirely without authority or instructions, as I could easily infer from the recent official recognition of the independence of the islands by Great Britain, which was made known to me at the time.

I observed to Lord Aberdeen that of course if the islands had been thus, without authority, taken possession of the act would be immediately disavowed by Her Majesty's Government. He said it might not be proper for him, in the absence of all information, under an entire ignorance of what had been done, to pledge the Government to any course; but he was quite willing to say that the intelligence had produced no change in the opinions and feelings which led him to advise the recognition, and that he still remained without the least wish for any addition to their colonial possessions. He told me they had several times declined to accept the sovereignty of different groups of islands in the Pacific which had been offered to them. If the report was founded in truth, he thought the cession might have proceeded from apprehensions on the part of the Government of the Sandwich Islands, that the French were meditating also the occupation of that group, and that aversion to the French might have led them, in the absence of Mr. Richards, to wish to place themselves under British

protection. I told Lord Aberdeen that I had understood from a private source of information that the Hawaiian commissioners at Washington had offered to place the islands under the protection of the United States; that I could not vouch for the truth of the report, but that if the offer were made it was certainly, as he was aware, declined.

In reference to the reserve with which he had spoken of giving up the islands, if possession, as reported, had been taken of them, Lord Aberdeen said this reserve was only in *majorem cautelam*, in consideration of his total ignorance of the circumstances of the case, and not because his opinions and feelings as to the expediency of the measure were at all varied by the rumored fact of the occupation. On my remarking that in one version of the newspaper report the cession was said to have been accepted by Lord George Paulet in full satisfaction for demands of compensation for injuries sustained by British subjects from the Government of the Sandwich Islands, he said he was not acquainted with any such demands, and should be doubly unwilling to sanction a cession made on that basis. Upon the whole, when I reflect how distinctly and how recently this Government is pledged to the United States, to France, and to the Sandwich Islands themselves to recognize their independence, I can not doubt that the act of the commander of the *Carysfort* will be readily disavowed.

* * * * *

I am, sir, respectfully, your obedient servant,

EDWARD EVERETT.

H. S. LEGARÉ, Esq.,
Secretary of State.

—
Mr. Everett to Mr. Legaré.

No. 41.]

LONDON, June 3, 1843.

SIR: At a late hour last evening I received a note from the Earl of Aberdeen requesting an interview at noon this day, at which he informed me that since he saw me last he had received a dispatch from Mr. Doyle, the British chargé d'affaires at Mexico, dated 24th April, transmitting a printed and evidently authentic paper, in which the particulars of the "provisional cession" of the Sandwich Islands to Great Britain are set forth. Lord Aberdeen allowed me to read Mr. Doyle's dispatch and the printed paper, and also read to me the dispatch which he had himself prepared to Mr. Fox on the subject and the papers accompanying it. As these documents will be communicated to you, I do not know that there is anything left for me to say, Lord Aberdeen's oral communication being but a repetition and amplification of the contents of his dispatch to Mr. Fox and his letter of last October to the Commissioners of the Sandwich Islands. He said the account in the printed paper was a confused and not very intelligible affair, and his only reason for any reserve in expressing himself on the subject arose from the fact that Lord George Paulet was one of the most discreet and judicious officers of their navy and could not, he thought, have acted without better grounds than might be inferred from the printed accounts.

It will perhaps be in my power by the next steamer to give you further information on the subject.

I am, sir, very respectfully, your obedient servant,

EDWARD EVERETT.

H. S. LEGARÉ, Esq.,
Secretary of State.

[Extract.]

Mr. Legaré to Mr. Everett.

No. 46.]

DEPARTMENT OF STATE,
Washington, June 13, 1843.

SIR: * * * It is well known that our settled policy is the strictest nonintervention in what does not immediately concern us, that we accept Governments *de facto* as Governments *de jure*, and that above all we have no wish to plant or to acquire colonies abroad. Yet there is something so entirely peculiar in the relations between this little commonwealth and ourselves that we might even feel justified, consistently with our own principles, in interfering by force to prevent its falling into the hands of one of the great powers of Europe. These relations spring out of the local situation, the history and the character and institutions of the Hawaiian Islands, as well as out of the declarations formerly made by this Government during the course of the last session of Congress, to which I beg leave to call your particular attention.

If the attempts now making by ourselves, as well as by other Christian powers, to open the markets of China to a more general commerce be successful, there can be no doubt that a great part of that commerce will find its way over the isthmus. In that event it will be impossible to overrate the importance of the Hawaiian group as a stage in the long voyage between Asia and America. But, without anticipating events, which, however, seem inevitable and, even approaching the actual demands of an immense navigation, make the free use of those roadsteads and ports indispensable to us, I need not remind you, who are in so peculiar manner related to that most important interest, commercial and political, that our great nursery of seamen, the whale fishery, has for years past made this cluster of islands its rendezvous and resting place. It seems doubtful whether even the undisputed possession of the Oregon territory and the use of the Columbia River or indeed anything short of the acquisition of California (if that were possible) would be sufficient indemnity to us for the loss of these harbors.

Independently, however, of these paramount considerations, it is impossible that any enlightened American acquainted with what his countrymen have done to make this people worthy of their mission, which ought to be hospitality to the flags of all nations navigating that ocean, can regard without lively sympathy their present unfortunate situation. All accounts seem to concur in representing this tribe, especially its chiefs, as having been within the last twenty-five years raised from a brutally savage state to a condition which may be fairly called civilized. This is the work of Christianity, and it seems to me a touching instance of the beneficent influence of the common religion of all the great powers that it had thus prepared an asylum for them all amidst the dangers of that vast ocean, and consecrated it by its own peaceful spirit to a perpetual neutrality. It was with this view that we heartily concurred, so far as our good offices went, in promoting the objects of the mission sent to us last winter, one of the results of which was the message of the President already referred to.

You are therefore requested to use your best endeavors to prevent the consummation of any purpose of conquest that England may possibly have conceived. France is interested in cooperating with us to the same end. Unfortunately there are embarrassments in the way of her doing so—at least, of her doing so with all the effect that would

otherwise attend the intervention of so conspicuous a power in favor of so great an interest of the whole Christian world. Still her ministers may be moved to do something. You may at least, if occasion serve, sound their ambassador in London. Russia has also a special interest in it if she looks with any solicitude to her settlements on the northwest coast. Might you not enlist her Government in the same cause?

On the whole, however, the better opinion seems to be that what Lord George Paulet has done will be disavowed.

* * * * *

I have the honor to be, with sincere respect, sir,
Your obedient, humble servant,

H. S. LEGARÉ.

EDWARD EVERETT, Esq., *etc.*

[Extract.]

Mr. Everett to Mr. Legaré.

No. 43.]

LONDON, June 14, 1843.

SIR: * * * June 19. In the Times of the 15th there was an editorial article of considerable significance on the recent provisional cession of the Sandwich Islands to the British crown. It wore the appearance at the time of being semiofficial, and from its having remained for two or three days uncontradicted in any quarter I am inclined to think that it was at least founded on good information. Should this be the case it may be considered as certain that the Government here have made up their minds to disavow the cession and to adhere to the recognition of the independence of the islands.

* * * * *

I am, sir, respectfully, your obedient servant,

EDWARD EVERETT.

H. S. LEGARÉ, Esq.,
Secretary of State.

Mr. Fox to Mr. Upshur.

WASHINGTON, June 25, 1843.

SIR: Her Majesty's Government, previously to the departure from England of the last steam packet, had already received information, though not officially, of the provisional occupation of the Sandwich Islands in the name of Great Britain, by the officer commanding Her Majesty's ship *Carysfort*.

I am directed by the Earl of Aberdeen to state to you, for the information of the Government of the United States, that the occupation of the Sandwich Islands was an act entirely unauthorized by Her Majesty's Government; and that with the least practicable delay due inquiry will be made into the proceedings which led to it.

The British Government had already announced to certain Commissioners, who arrived in Great Britain in March last, on the part of the King of the Sandwich Islands, that Her Majesty had determined to recognize the independence of those islands under their present chief.

To that determination Her Majesty's Government intend to adhere. At the same time, however, it is right that it should be understood that the British Government equally intend to engage, and, if necessary, to compel the chief of the Sandwich Islands to redress whatever acts of injustice may have been committed against British subjects by that chief or by his ministers or agents, either arbitrarily or under the false color of lawful proceedings.

Instructions which, during the past year were addressed by Her Majesty's Government to the British consul residing in the Sandwich Islands and to the naval officers employed on the Pacific station, enjoined those officers to treat upon all occasions the native rulers of the Sandwich Islands with forbearance and courtesy; and, while affording due and efficient protection to aggrieved British subjects, to avoid interfering harshly or unnecessarily with the laws and customs of the native government.

It has been the desire of the British Government, in regulating the intercourse of its public servants with the native authorities of the Sandwich Islands, rather to strengthen those authorities and to give them a sense of their own independence by leaving the administration of justice in their own hands, than to make them feel their dependence upon foreign powers by the exercise of unnecessary interference. It has not been the purpose of Her Majesty's Government to seek to establish a paramount influence in those islands for Great Britain at the expense of that enjoyed by other powers. All that has appeared requisite to Her Majesty's Government has been that other powers should not exercise there a greater influence than that possessed by Great Britain.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration,

H. S. Fox.

Hon. ABEL P. UPSHUR, etc.

[Extract.]

Mr. Everett to Mr. Legaré.

No. 44.]

LONDON, July 1, 1843.

SIR: * * * With respect to the occupation of the Sandwich Islands, I have reason to think that the conduct of Lord George Paulet, in coercing their provisional cession to this Government, has been formally disavowed. I am to see Lord Aberdeen this afternoon, and hope to ascertain positively whether this is the case. If I find that the cession is not and is not likely to be disavowed, I shall address a pointed remonstrance to this Government against the occupation and spare no pains to enlist in the same course the representatives of the other maritime powers. Mr. Marshall, of Charlestown (Massachusetts), arrived here yesterday, with authority from the King of the Sandwich Islands, as a joint commissioner with Mr. Richards. He is the bearer of dispatches from the Government of the islands to that of Great Britain. He has been preceded by Mr. Simpson, the deputy consul left in the islands by the late British consul, Mr. Charlton. * * * Mr. Simpson came to London a few days since as bearer of Lord George Paulet's dispatches to the admiralty.

* * * * *
I am, sir, respectfully, your obedient servant,

EDWARD EVERETT

H. S. LEGARÉ, esq.,
Secretary of State.

*Mr. Upshur to Mr. Fox.*DEPARTMENT OF STATE,
Washington, July 5, 1843.

SIR: I have received the letter which you did me the honor to address to me on the 25th ultimo, explanatory of the views of the British Government respecting the Sandwich Islands, and stating, by direction of Her Majesty's secretary of state for foreign affairs, for the information of this Government, that the recent occupation of those islands in the name of Great Britain by the officer commanding Her Majesty's ship *Carysfort*, was an act entirely unauthorized by Her Majesty's Government, and that with the least practicable delay due inquiry will be made into the proceedings which led to it.

I have lost no time in submitting your letter to the consideration of the President of the United States, by whom I am directed to express to you the satisfaction which this prompt disavowal by Her Majesty's Government of the act in question has afforded him.

The United States take a deep interest in the condition of those islands so important from their geographical position to American citizens engaged in the fisheries and other lawful pursuits in the North Pacific Ocean; and hence the President awaited with lively concern the course which Her Majesty's Government should adopt with respect to the occurrences referred to. He entertained a confident expectation, strengthened by his knowledge of the reception which had been given in England to the Commissioners of the King of the Sandwich Islands, and of the fact that Her Majesty's Government had determined to recognize the independence of those islands, that no undue advantage would be taken by Great Britain of their peculiar political condition, and he sees with a corresponding gratification that this expectation is now realized.

Seeking to establish no undue advantages in the Sandwich Islands for citizens of the United States at the expense of other powers, the President receives with much pleasure the assurance contained in Mr. Fox's note, that none such are sought for Great Britain. He can not doubt that the recognition of the independence and sovereignty of those islands will be found altogether compatible with every just claim of Great Britain, while it will best conduce to the interests of the islands themselves, and of all nations having intercourse with them.

I have the honor to renew to you, sir, on this occasion, the assurance of my distinguished consideration and respect,

A. P. UPSHUR.

HENRY S. FOX, esq., etc.

[Extract.]

Mr. Everett to Mr. Upshur.

No. 50.]

LONDON, August 15, 1843.

SIR: * * * I then took occasion to advert to the affairs of the Sandwich Islands. The Commissioners of the King of those islands are here, Messrs. Haalileo, Richards, and Marshall, and have presented a written statement of considerable length (as they inform me) to Lord Aberdeen, containing the requisite explanations of the matters alleged against them by way of complaint, by the late British consul and others. Lord Aberdeen told me there was a good deal worthy of consideration in their statements, and that he did not apprehend much difficulty in coming to a satisfactory settlement.

With respect to the acknowledgment of the independence of the islands, the following seems to be the precise state of the case: The English Government, following our example, acquainted Messrs. Haalileo and Richards in April last that they were prepared to acknowledge their independence. Meantime Lord George Paulet, acting without instructions, had taken provisional possession of the islands, by a treaty extorted from the weakness of the native government. Great Britain feels herself pledged to adhere to the recognition of their independence and has invited France to follow her example. France has agreed to do so as soon as Great Britain withdraws her occupation.

Great Britain before giving up the occupation, means to do two things; one, to obtain satisfaction to the matters of complaint above alluded to, which I am inclined to think will not be attended with difficulty; the other to come to some arrangement with France, which will prevent that power, at some subsequent period, from taking possession of those islands, as they have lately done of the Marquesas.

In fact, the series of events which, however menacing for the moment, bids fair to result in the establishment of the independence of the islands on a firm basis is one of the most fortunate, on the whole, which could be imagined, and I can not but regard the recognition of the United States as having determined the character of all the succeeding occurrences. As soon as I received last winter the instructions of the Department on the subject, I lost no opportunity of bringing it to the consideration of Lord Aberdeen, and the occupation of the Marquesas by the French no doubt united with our recognition in hastening the decision of this Government. There is now reason to think that the occupation of the islands by Lord George Paulet was a fortunate event, inasmuch as it prevented them from being taken possession of by a French squadron, which (it is said) was on its way for that purpose. Had France got possession of the islands she would certainly have retained them. Had intelligence been received here of Lord George Paulet's occupation of them before her promise was given to recognize them, England, I think, would not have given them up. As it is, an understanding between the great European powers, amounting in effect, if not in form, to a guaranty of their independence, is likely to take place. This is the only state of things with which the United States could be content. As it will be brought about without involving us in any compacts with other powers, and as I have already said, mainly, as it seems to me, under the impulse of our example, it will I think, be regarded by the President as an eminently satisfactory result.

* * * * *

I am, sir, respectfully your obedient servant,

EDWARD EVERETT.

A. P. UPSHUR, Esq.,
Secretary of State.

[Extract.]

Mr. Everett to Mr. Upshur.

No. 56.]

LONDON, September 28, 1843.

SIR: * * * I had a conversation last evening of a satisfactory character with Mr. Richards, the commissioner of the Government of the Sandwich Islands. He has nearly brought his business with this

Government to a close, and in a manner with which he appears to be content. You are aware that various claims on the Government of the Sandwich Islands on the part of British subjects, and principally Mr. Charlton, the late consul, had long been pending, and that it was professedly to enforce satisfaction for these claims that possession was taken of the islands by Lord George Paulet. I fear that most of the claims were such as are too apt to be set up by the strong against the weak. The Government at home (as I intimated in a former dispatch the opinion they would do), though disclaiming the act of Lord George Paulet as without instructions, determined to retain possession of the islands till satisfaction was given in reference to the claims, and some kind of an assurance procured from France that she would respect the independence of the islands.

A question arose how the claims were to be adjudicated. I advised Mr. Richards to offer to submit them to the decision of Lord Aberdeen himself. I thought this course would preclude delay, which there was some reason to fear might be desired here, and which would be very dangerous in the extremely anomalous condition of things. I doubted if the claims could be got before any tribunal independent of the influence of this Government; and I felt confident that more could be obtained from the liberality of Lord Aberdeen, when thus appealed to, than if the British Government were made to assume the position of an opposing party. Mr. Richards fully concurred in this view, and the result on the whole seems to have justified it. On five out of seven points the decision is wholly in favor of the Government of the islands; on the sixth substantially so; on the seventh much is left dependent on the discernment and good faith of Gen. Miller, the new consul-general; but Mr. Richards considers this point to be also settled in their favor; and he has promptly accepted the whole decision. He informs me that he has been uniformly treated at the foreign office with courtesy and respect.

He has conferred freely with Mr. Addington, the Under Secretary of State, on the delicate point of restoring possession of the islands to the native Government, and has been promised that it shall be done as soon as a satisfactory assurance is given by France; and he thinks—justly in my opinion—that it is for the interest of the islands that Great Britain should retain her possession till this assurance is given. There is no fear that it will be long withheld.

I have the honor to be, with great respect, your obedient servant,
EDWARD EVERETT.

A. P. UPSHUR, Esq.,
Secretary of State.

Mr. Everett to Mr. Nelson.

No. 114.]

LONDON, April 24, 1844.

SIR: In the course of the past year I had frequent occasion to make mention of the affairs of the Sandwich Islands and of the agency of Messrs. Richards and Haalileo, who had been sent to the United States and Europe as the representatives of the native Government. I have now the satisfaction to communicate authentic information of the conclusion of a convention between the governments of Great Britain and France by which the independence of the Sandwich Islands is recognized, and the two powers stipulate that they will not take pos-

session of them either directly or under the name of a protectorate. Messrs. Richards and Haalileo have promised to give me a copy of this convention, which I hope they will do in season to be transmitted with this dispatch, but as it has not been published by either Government and is of course communicated unofficially to me, I would suggest the propriety of receiving it for the present in confidence.

In their negotiations with this Government relative to the demands and complaints of British subjects against the native Government, which led to the provisional occupation of the islands by Lord George Paulet, and with the French Government in reference to the modification of the treaty imposed by France on the islanders, of which treaty France exacts the benefits for herself while she refuses to grant them to the other party, Messrs. Richards and Haalileo have been partially successful. But I fear that in both cases the measure of justice done by these powerful governments to this defenceless and feeble state is such, and such only, as the strong are too apt to render to the weak.

The step taken by the French Government in disavowing the act of Admiral Dupetit-Thouars, who had, without instructions, converted the protectorate established at Tãiti into an assertion of absolute sovereignty, continues to be vehemently assailed by the opposition in France. A large mass of papers on this subject was laid upon the table of the Chamber of Deputies a few days since by Mr. Guizot, and will be found in the "Journal des Débats" of the 20th instant. I do not find that they place the conduct of the French admiral in a new light.

I am, sir, very respectfully, your obedient servant,

EDWARD EVERETT.

JOHN NELSON, Esq.,

Secretary of State ad interim.

Declaration.

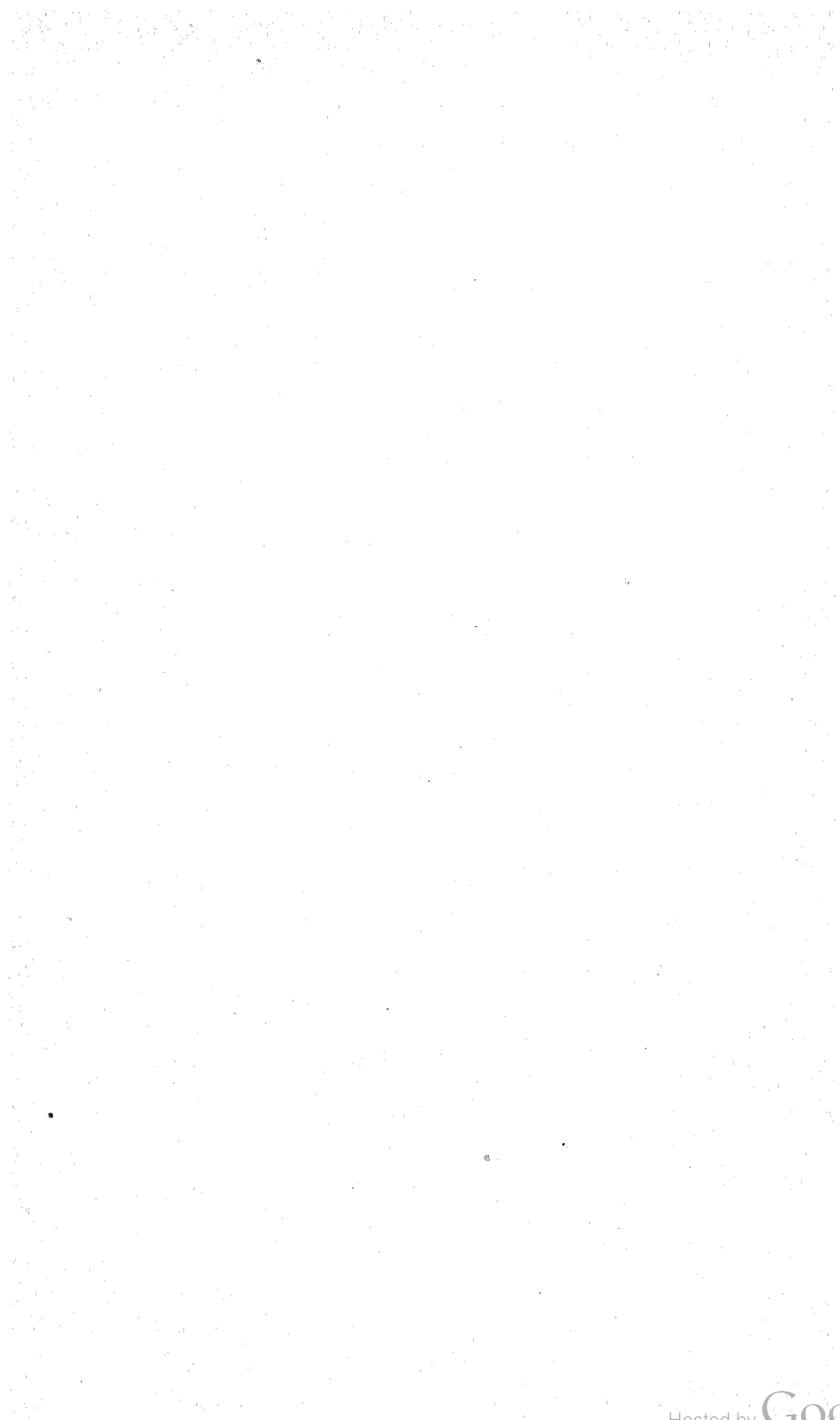
Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the French, taking into consideration the existence in the Sandwich Islands of a government capable of providing for the regularity of its relations with foreign nations, have thought it right to engage, reciprocally, to consider the Sandwich Islands as an independent state and never to take possession either directly or under the title of protectorate, or under any other form, of any part of the territory of which they are composed.

The undersigned, Her Britannic Majesty's principal secretary of state for foreign affairs and the ambassador extraordinary of His Majesty the King of the French at the court of London, being furnished with the necessary powers, hereby declare in consequence that their said majesties take reciprocally that engagement.

In witness whereof the undersigned have signed the present declaration and have affixed thereto the seals of their arms.

Done in duplicate at London the 28th day of November, in the year of our Lord 1843.

ABERDEEN. [L. S.]
ST. AULAIRE. [L. S.] •



IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A treaty of annexation concluded on the 14th day of February, 1893, between the United States and the Provisional Government of the Hawaiian Islands.

FEBRUARY 15, 1893.—Read; treaty read the first time, referred to the Committee on Foreign Relations, and, together with the message and accompanying papers, ordered to be printed in confidence for the use of the Senate.

FEBRUARY 17, 1893.—Injunction of secrecy removed and ordered to be printed.

To the Senate:

I transmit herewith, with a view to its ratification, a treaty of annexation concluded on the 14th day of February, 1893, between Hon. John W. Foster, Secretary of State, who was duly empowered to act in that behalf on the part of the United States, and Lorrin A. Thurston, W. R. Castle, W. C. Wilder, C. L. Carter, and Joseph Marsden, the commissioners on the part of the Provisional Government of the Hawaiian Islands.

The treaty, it will be observed, does not attempt to deal in detail with the questions that grow out of the annexation of the Hawaiian Islands to the United States. The commissioners representing the Hawaiian Government have consented to leave to the future and to the just and benevolent purposes of the United States the adjustment of all such questions.

I do not deem it necessary to discuss at any length the conditions which have resulted in this decisive action.

It has been the policy of the administration not only to respect, but to encourage the continuance of an independent government in the Hawaiian Islands so long as it afforded suitable guarantees for the protection of life and property and maintained a stability and strength that gave adequate security against the domination of any other power. The moral support of this Government has continually manifested itself in the most friendly diplomatic relations, and in many acts of courtesy to the Hawaiian rulers.

The overthrow of the monarchy was not in any way promoted by this Government, but had its origin in what seems to have been a reactionary and revolutionary policy on the part of Queen Liliuokalani, which put in serious peril not only the large and preponderating interests of

the United States in the islands, but all foreign interests, and indeed the decent administration of civil affairs and the peace of the islands.

It is quite evident that the monarchy had become effete and the Queen's government so weak and inadequate as to be the prey of designing and unscrupulous persons. The restoration of Queen Liliuokalani to her throne is undesirable, if not impossible, and unless actively supported by the United States would be accompanied by serious disaster and the disorganization of all business interests. The influence and interest of the United States in the islands must be increased and not diminished.

Only two courses are now open; one the establishment of a protectorate by the United States, and the other, annexation full and complete. I think the latter course, which has been adopted in the treaty, will be highly promotive of the best interests of the Hawaiian people, and is the only one that will adequately secure the interests of the United States. These interests are not wholly selfish. It is essential that none of the other great powers shall secure these islands. Such a possession would not consist with our safety and with the peace of the world.

This view of the situation is so apparent and conclusive that no protest has been heard from any government against proceedings looking to annexation. Every foreign representative at Honolulu promptly acknowledged the provisional government, and I think there is a general concurrence in the opinion that the deposed queen ought not to be restored. Prompt action upon this treaty is very desirable.

If it meets the approval of the Senate peace and good order will be secured in the islands under existing laws until such time as Congress can provide by legislation a permanent form of government for the islands. This legislation should be, and I do not doubt will be, not only just to the natives and all other residents and citizens of the islands, but should be characterized by great liberality and a high regard to the rights of all the people and of all foreigners domiciled there.

The correspondence which accompanies the treaty will put the Senate in possession of all the facts known to the Executive.

BENJ. HARRISON.

EXECUTIVE MANSION,
February 15, 1893.

THE PRESIDENT:

The undersigned, Secretary of State, has the honor to lay before the President, with a view to obtaining the advice and consent of the Senate thereto, should such a course be in the judgment of the President for the public interest, a treaty, signed at Washington on the 14th day of February, instant, by the undersigned and the accredited commissioners of the existing provisional government of the Hawaiian Islands, in representation of their respective Governments, for the full and absolute cession of the said islands and all their dependencies to the United States forever, with provision for the temporary government of those islands, under the sovereign authority of the United States, until Congress shall otherwise enact.

With this treaty the undersigned submits to the President copies of the correspondence recently exchanged, showing the course of events in the Hawaiian Islands as respects the overthrow of the late monarch.

ical form of government, the creation of a provisional government thereof in the name of the Hawaiian people, the recognition of the same by the representatives there of the United States and of all other powers, the dispatch of a commission to this capital to negotiate for a union of the Government of the Hawaiian Islands with the Government of the United States, and the outcome of those negotiations in the treaty herewith submitted.

The change of government in the Hawaiian Islands, thus chronicled, was entirely unexpected so far as this Government was concerned. It is true that for some months past the Hawaiian press and the advices received from the diplomatic and consular representatives at Honolulu indicated political uncertainty, party intrigues, and legislative opposition, but not more so than at many times in the past history of the islands, and certainly not suggestive of an overthrow of the monarchy through popular resistance to the unconstitutional acts of the late sovereign. At no time had Mr. Stevens been instructed with regard to his course in the event of a revolutionary uprising. The well-established policy of this Government, maintained on many occasions from its earliest establishment, to hold relations with any *de facto* government in possession of the effective power of the State and having the acquiescence of the governed, being ample to meet unforeseen contingencies, no instructions in this specific sense were indeed necessary; and the minister, without explicit instructions, was expected and constrained to use his best judgment, in accordance with fundamental precedent, as the emergency should arise.

The change was in fact abrupt and unlooked-for by the United States minister or the naval commander. At a moment of apparent tranquillity, when the political excitement and controversy of the immediately preceding three months had been to all appearances definitely allayed, and when, as appears from dispatches from the minister and from the commanding officer of the *Boston*, a settlement of differences seemed to have been reached, Minister Stevens quitted the capital for a brief excursion of ten days to a neighboring island, on the *Boston*, the only naval vessel of the United States at the islands. On returning to Honolulu on January 14 the crisis was found to be in full vigor and to have already reached proportions which made inevitable either the success of Queen Liliuokalani's attempt to subvert the constitution by force or the downfall of the monarchy.

On Saturday, the 14th of January, the capital was wholly controlled by the royal troops, including a large additional force of over 500 armed men not authorized by Hawaiian law. On the same day the first call to arms in opposition to the Queen was issued, and the citizens' committee of safety was developed. During the 14th, 15th, and most of the 16th, the two parties confronted each other in angry hostility, with every indication of an armed conflict at any moment. It was not until late in the afternoon of Monday, the 16th, after request for protection had been made by many citizens of the United States residing in Honolulu, that a force of marines was landed from the *Boston*, by direction of the minister, and in conformity with the standing instructions which for many years have authorized the naval forces of the United States to cooperate with the minister for the protection of the lives and property of American citizens in case of imminent disorder. The marines, when landed, took no part whatever toward influencing the course of events. Their presence was wholly precautionary, and only such disposition was made of them as was calculated to subserve the particular end in view. They were distributed that night between

the legation and the consulate, where they occupied inner courts and a private hall rented for their accommodation. Beyond a sentry at the door of each post, and the occasional appearance of an officer passing from one post to another, no demonstration whatever was made by the landed forces, nor was the uniform of the United States visible upon the streets. They thus remained, isolated and inconspicuous, until after the success of the Provisional Government and the organization of an adequate protective force thereunder.

At the time the Provisional Government took possession of the Government buildings, no troops or officers of the United States were present or took any part whatever in the proceedings. No public recognition was accorded to the Provisional Government by the United States minister until after the Queen's abdication and when they were in effective possession of the Government buildings, the archives, the treasury, the barracks, the police station, and all the potential machinery of the Government.

Then, and not until then, when the Provisional Government had obtained full *de facto* control, was the new order of things recognized by the United States minister, whose formal letter of recognition was promptly followed by like action on the part of the representatives of all foreign governments resident on the Hawaiian Islands. There is not the slightest indication at any time prior to such formal recognition in full accord with the long-established rule and invariable precedents of this Government, did the United States minister take any part in promoting the change, either by intimidating the Queen or by giving assurance of support to the organizers of the Provisional Government.

The immediate cause of the change is clearly seen to have been the unconstitutional and intemperate acts of the Queen herself, in attempting to coerce her responsible ministers and to annul the existing constitution and replace it arbitrarily by another of her own choice.

The Provisional Government of the Hawaiian Islands is, by all usual and proper tests, in the sole and supreme possession of power and in control of all the resources of the Hawaiian nation, not only through the Queen's formal submission, but through its possession of all the armed forces, arms and ammunitions, public offices, and administration of law, unopposed by any adherents of the late Government.

On the first instant, subsequently to the departure of the Hawaiian special commissioners, the United States minister at Honolulu, at the request of the Provisional Government, placed the Hawaiian Government under the protection of the United States to insure the security of life and property during the pending negotiations at Washington and without interfering with the administration of public affairs by the said Government. An instruction has been sent to the minister, commending his action in so far as it lay within the purview of standing instructions to the legation and to the naval commanders of the United States in Hawaiian waters, and tended to cooperate with the administration of affairs by the Provisional Government, but disavowing any steps in excess of such instructions whereby the authority and power of the United States might appear to have been asserted to the impairment of the independent sovereignty of the Hawaiian Government by the assumption of a formal protectorate.

In this condition of things, the five commissioners named by the Provisional Government of the Hawaiian Islands reached Washington on the 3d instant, bearing authentic letters from the Hawaiian Government accrediting them to the President, and conferring upon them full

powers to negotiate for the union of the Hawaiian Islands to the United States.

On the 4th instant the commissioners were accorded an interview with the undersigned, at the request of the regularly accredited Hawaiian minister, Mr. J. Mott Smith, and submitted their credentials, accompanied by a statement of events leading up to and connected with the overthrow of the monarchy and the establishment of the Provisional Government. At a second conference on the same day the commissioners submitted to the undersigned the proposition of the Provisional Government, containing the terms upon which that Government desired the annexation of the Hawaiian Islands to the United States. A copy of this proposition is inclosed. Frequent conferences have since been held at the Department of State, and all questions connected with the subject have been carefully examined and discussed, until a concurrence of views on the part of the negotiating parties was reached on the 14th instant.

In drafting and agreeing upon the treaty now transmitted, the undersigned has sought, under your direction, to effect thereby the annexation of the Hawaiian Islands to the United States with as few conditions as possible and with a full reservation to Congress of its legislative prerogatives. An examination of the provisions of this treaty will show that to Congress is reserved the determination of all questions affecting the form of government of the annexed territory, the citizenship and elective franchise of its inhabitants, the manner and terms under which the revenue and navigation laws of the United States are to be extended thereto, and all other questions relating to the economic and political status of the islands. As there is no provision in the existing legislation of Congress whereby the Executive power can provide an organized form of government for new territory annexed to the Union, or extend over it the laws of the United States and cause the same to be executed, it was deemed necessary to continue the existing government and laws of the Hawaiian Islands until Congress should have an opportunity to legislate on the subject; but a provision has been inserted in the treaty for the exercise by the Executive of the United States of a veto power upon the acts of that government during the interregnum. The temporary maintenance of the existing political institutions of the islands seems the more appropriate in view of the fact that the Hawaiian constitution, of which a copy is inclosed herewith, and the Hawaiian laws are based upon principles similar to those contained in our own organic law and the principles of the common law.

It is to be noted that, according to a recognized principle of international law, the obligations of treaties, even when some of their stipulations are in terms perpetual, expire in case either of the contracting parties loses its existence as an independent state. The foreign treaties of the Hawaiian Islands therefore terminate, upon annexation, with the competence of the government thereof to hold diplomatic relations. An examination of these treaties shows, however, that they contain no stipulations which would embarrass either the Hawaiian Islands or the United States by their termination.

Accompanying the treaty are tables giving full details as to the area of the territory annexed, the public debt, the public lands, the annual allowances to and revenue of the late royal household, and statistics as to the population, revenues, commerce, and other economic matters relating to the islands.

It is gratifying to be able to state that pending the negotiations leading up to the treaty herewith submitted the undersigned has received

such assurances from the representatives of the leading powers of the world and from our own ministers abroad as leads to the conviction that the incorporation of the Hawaiian Islands into our Union will be regarded by these powers with satisfaction or ready acquiescence.

Respectfully submitted.

JOHN W. FOSTER.

DEPARTMENT OF STATE,
Washington, February 15, 1893.

1 The United States of America and the Provisional Government
2 of the Hawaiian Islands, in view of the natural dependence of
3 those Islands upon the United States, of their geographical prox-
4 imity thereto, of the intimate part taken by citizens of the United
5 States in there implanting the seeds of Christian civilization, of the
6 long continuance of their exclusive reciprocal commercial relations
7 whereby their mutual interests have been developed, and the pre-
8 ponderant and paramount share thus acquired by the United
9 States and their citizens in the productions, industries and trade
10 of the said Islands, and especially in view of the desire expressed
11 by the said Government of the Hawaiian Islands that those Islands
12 shall be incorporated into the United States as an integral part
13 thereof and under their sovereignty, in order to provide for and
14 assure the security and prosperity of the said Islands, the High
15 Contracting Parties have determined to accomplish by treaty an
16 object so important to their mutual and permanent welfare.

17 To this end, the High Contracting Parties have conferred full
18 power and authority upon their respectively appointed Plenipoten-
19 tiaries, to wit:

20 The President of the United States of America, John W. Foster,
21 Secretary of State of the United States; and

22 The President of the Executive and Advisory Councils of the
23 Provisional Government of the Hawaiian Islands, Lorrin A. Thurs-
24 ton, William R. Castle, William C. Wilder, Charles L. Carter, and
25 Joseph Marsden;

26 And the said Plenipotentiaries, after having communicated to
27 each other their respective full powers, found in good and due form,
28 have agreed upon and concluded the following articles:

1 ARTICLE I.

2 The Government of the Hawaiian Islands hereby cedes, from the
3 date of the exchange of the ratifications of this Treaty, absolutely

4 and without reserve to the United States forever all rights of sov.
5 ereignty of whatsoever kind in and over the Hawaiian Islands and
6 their dependencies, renouncing in favor of the United States every
7 sovereign right of which as an independent nation it is now pos-
8 sessed; and henceforth said Hawaiian Islands and every island
9 and key thereunto appertaining and each and every portion thereof
10 shall become and be an integral part of the territory of the United
11 States.

1 ARTICLE II.

2 The Government of the Hawaiian Islands also cedes and transfers
3 to the United States the absolute fee and ownership of all public,
4 government or crown lands, public buildings or edifices, ports,
5 harbors, fortifications, military or naval equipments and all other
6 public property of every kind and description belonging to the
7 Government of the Hawaiian Islands, together with every right
8 and appurtenance thereunto appertaining. The existing laws of
9 the United States relative to public lands shall not apply to such
10 lands in the Hawaiian Islands, but the Congress of the United
11 States shall enact special laws for their management and disposi-
12 tion: Provided, that all revenue from or proceeds of the same, ex-
13 cept as regards such part thereof as may be used or occupied for
14 the civil, military or naval purposes of the United States or may
15 be assigned to the use of the local Government, shall be used solely
16 for the benefit of the inhabitants of the Hawaiian Islands for
17 educational and other public purposes.

1 ARTICLE III.

2 Until Congress shall otherwise provide, the existing Govern-
3 ment and laws of the Hawaiian Islands are hereby continued, sub-
4 ject to the paramount authority of the United States. The Presi-
5 dent, by and with the advice and consent of the Senate, shall ap-
6 point a Commissioner to reside in said Islands who shall have the
7 power to veto any act of said Government, and an act disapproved
8 by him shall thereupon be void and of no effect unless approved
9 by the President.

10 Congress shall, within one year from the exchange of the rati-
11 fications of this Treaty, enact the necessary legislation to extend
12 to the Hawaiian Islands the laws of the United States respecting
13 duties upon imports, the internal revenue, commerce and naviga-

tion; but until Congress shall otherwise provide, the existing commercial relations of the Hawaiian Islands both with the United States and foreign countries shall continue as regards the commerce of said Islands with the rest of the United States and with foreign countries, but this shall not be construed as giving to said Islands the power to enter into any new stipulation or agreement whatsoever or to have diplomatic intercourse with any foreign Government. The Consular representatives of foreign powers now resident in the Hawaiian Islands shall be permitted to continue in the exercise of their consular functions until they can receive their exequaturs from the Government of the United States.

1 ARTICLE IV.

2 The further immigration of Chinese laborers into the Hawaiian
3 Islands is hereby prohibited until Congress shall otherwise provide. Furthermore, Chinese persons of the classes now or hereafter excluded by law from entering the United States will not be permitted to come from the Hawaiian Islands to other parts of the United States, and if so coming shall be subject to the same penalties as if entering from a foreign country.

1 ARTICLE V.

2 The public debt of the Hawaiian Islands, lawfully existing at the
3 date of the exchange of the ratifications of this Treaty, including
4 the amounts due to depositors in the Hawaiian Postal Savings
5 Banks, is hereby assumed by the Government of the United
6 States; but the liability of the United States in this regard shall
7 in no case exceed three and one quarter millions of dollars. So
8 long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued, as herein before provided, said Government shall continue to pay the
9 interest on said debt.

1 ARTICLE VI.

2 The Government of the United States agrees to pay to Liliu-
3 kalani, the late Queen, within one year from the date of the exchange of the ratifications of this Treaty the sum of twenty thousand
4 dollars, and annually thereafter a like sum of twenty thousand
5 dollars during the term of her natural life, provided she in good
6

7 faith submits to the authority of the Government of the United
8 States and the local Government of the Islands.

9 And the Government of the United States further agrees to
10 pay to the Princess Kaiulani within one year from the date of the
11 exchange of the ratifications of this treaty the gross sum of one
12 hundred and fifty thousand dollars, provided she in good faith
13 submits to the authority of the Government of the United States
14 and the local Government of the Islands.

1 ARTICLE VII.

2 The present Treaty shall be ratified by the President of the United
3 States, by and with the advice and consent of the Senate, on the
4 one part, and by the Provisional Government of the Hawaiian
5 Islands on the other, and the ratifications thereof shall be ex-
6 changed at Honolulu as soon as possible. Such exchange shall be
7 made on the part of the United States by the Commissioner here-
8 inbefore provided for, and it shall operate as a complete and final
9 conveyance to the United States of all the rights of sovereignty
10 and property herein ceded to them. Within one month after such
11 exchange of ratifications the Provisional Government shall furnish
12 said Commissioner with a full and complete schedule of all the
13 public property herein ceded and transferred.

14 In witness whereof the respective Plenipotentiaries have signed
15 the above articles and have hereunto affixed their seals.

16 Done in duplicate at the city of Washington this fourteenth day
17 of February, one thousand eight hundred and ninety-three.

18 JOHN W. FOSTER, [SEAL]

19 LORRIN A. THURSTON, [SEAL]

20 WILLIAM R. CASTLE, [SEAL]

21 WILLIAM C. WILDER, [SEAL]

22 CHARLES L. CARTER, [SEAL]

23 JOSEPH MARSDEN. [SEAL]

List of accompanying documents.

- No. 1. Mr. Stevens to Mr. Foster (telegram), January 18, 1893.
- No. 2. Mr. Stevens to Mr. Foster, January 18, 1893.
- No. 3. Mr. Dole to Mr. Foster, January 18, 1893.
- No. 4. Ex-Queen Liliuokalani to the President, January 18, 1893.
- No. 5. Mr. Stevens to Mr. Foster, January 19, 1893.
- No. 6. Mr. Foster to Mr. Stevens (telegram), January 28, 1893.
- No. 7. Mr. Tracy to Mr. Foster, January 28, 1893.
- No. 8. Mr. Stevens to Mr. Foster (telegram), February 1, 1893.
- No. 9. Mr. Smith to Mr. Foster, February 3, 1893.
- No. 10. Mr. Tracy to Mr. Foster, February 3, 1893.
- No. 11. The Hawaiian special commissioners to Mr. Foster, February 3, 1893.
- No. 12. Credential letters of the Hawaiian special commissioners, exhibited February 4, 1893.
- No. 13. Commissions of the Hawaiian special commissioners, exhibited February 4, 1893.
- No. 14. The Hawaiian special commissioners to Mr. Foster, February 4, 1893.
- No. 15. The Hawaiian special commissioners to Mr. Foster, February 11, 1893.
- No. 16. Mr. Carter to Mr. Foster, February 11, 1893.
- No. 17. Mr. Tracy to Mr. Foster, February 11, 1893.
- No. 18. Mr. Foster to Mr. Stevens, February 11, 1893.
- No. 19. Mr. Stevens to Mr. Foster, February 1, received February 14, 1893.
- No. 20. Mr. Stevens to Mr. Foster, February 1, received February 14, 1893.
- No. 21. Constitution of the Hawaiian Islands.
- No. 22. Statistical tabulated statements pertaining to the Hawaiian Islands.
 - A. Population in 1878, 1884, and 1890; voters in 1890.
 - B. Property, real and personal.
 - C. Schools: Number, attendance, and nationality of teachers.
 - D. Public debt, as of March 31, 1892.
 - E. Sugar plantations, value, area, ownership, wages.
 - F. Taxation, internal, proceeds of, and per capita in 1882, 1884, 1886, 1888, 1890, and 1891.
 - G. Revenues and expenditures, biennial periods from 1878-'80 to 1890-'92.
 - H. Receipts, expenditures, cash balances, and public debt in 1880, 1882, 1884, 1886, 1888, and 1892.
 - I. Imports, detailed statement of, from 1883 to 1892; values.
 - J. Exports, detailed statement of, from 1882 to 1891; quantities and values.
 - K. Imports and exports, by countries, from 1884 to 1891.
 - L. Imports and exports, and customs receipts, annual value of, from 1882 to 1891.
 - M. Navigation, nationality of vessels engaged in the foreign trade with the Hawaiian Islands from 1882 to 1891.

No. 1.*Mr. Stevens to Mr. Foster.*

[Telegram.]

LEGATION OF THE UNITED STATES,
Honolulu, H. I., January 18, 1893.

Via San Francisco, January 28. (Received January 28.)

Events in Hawaii in the past few days have moved rapidly. An entire overthrow of the Hawaiian monarchy and the establishment of a Provisional Government in the interest of the whole people of the islands without the sacrifice of a single life. The new government is in full possession of the islands and was promptly recognized by all the diplomatic representatives. The four men of whom it is composed are of high character, one of whom resigned his position as one of the supreme judges to assume the place. Full dispatches by the mail leaving Honolulu to-day by special steamer.

STEVENS,
United States Minister.

No. 2.

Mr. Stevens to Mr. Foster.

No. 79.]

UNITED STATES LEGATION,
Honolulu, January 18, 1893. (Received February 3.)

SIR: In my 73 of November 8 I gave full information of the surrender of the Queen to the wishes of the legislature by the formation of a ministry composed of men of intelligence and wealth possessing the entire confidence of the business men and the more responsible citizens of the country. But this surrender of the Queen and of those surrounding her was only seeming. As soon as the principal appropriations had been voted and the legislative work was nearly concluded, several of the best members having already left for their homes, a remarkable conspiracy was revealed.

The undersigned, for the first time since he has been at the head of this legation, January 4 took passage for Hilo and the volcano on the U. S. S. *Boston* for the benefit of the health of himself and of his daughter, it being also desirable that the town of the second importance in the islands should have this attention at the time the *Boston* was making a visit to Hawaii, the chief island in the group. Beyond all doubt, immediately after the *Boston* and myself had left Honolulu the unscrupulous adventurers around the Queen improved the opportunity to push through the legislature an astounding lottery franchise with the obvious intent to sell it out to the Louisiana lottery men. This was worked by some of the same parties supposed to be of the powerful opium ring whose four points of operation are Vancouver, San Francisco, Honolulu, and Hongkong. They distributed the lottery stock among the native members of the legislature in large figures.

Notwithstanding the strong opposition of all the best people of the islands, including whites and natives, and the emphatic opposition of the chamber of commerce, the Queen and her palace favorite gave their warmest support to the lottery bill and signed it at once. She was to be immediately compensated by being allowed to proclaim a new constitution, restoring to the Crown the old despotic prerogatives in direct violation of the existing constitution, which provides for the only mode of change, which is by the action of successive legislatures.

Returning on the *Boston* from our Hilo trip on the 14th instant, we found the legislature was to be prorogued at 12 a. m., one-half hour after my arrival at the legation. The prorogation completed, members of the legislature, diplomatic corps, judges of the supreme court, and other officials went to the palace by invitation. In the meantime it began to be known in public circles the Queen's intention to proclaim the revolutionary constitution. This resulted in raising an excitement which alarmed her confidants and caused some of them to draw back. This consumed time, so that she could not secure the signatures of her new cabinet as she had expected. In the meantime the diplomatic corps grew weary and left the palace, realizing that the invitation to be present was a trick.

As I had just returned, weary from my voyage, I had not received the invitation, the chamberlain knowing I was absent when he invited the English, Portuguese, French, and Japanese diplomatic representatives the day before. In the short meanwhile I had suspicioned the trick. Finally, the Queen appeared in the throne room, before the supreme judges and other officials, in an extreme passion of anger, and avowed her purpose to postpone her revolutionary constitution for a

brief period, and then went upon the balcony and spoke with great passion in the same strain to those around the palace, principally her retainers and the royal guard, her determination to proclaim her constitution at another time. What I have described as to the lottery legislation, the forcing out of the responsible cabinet of November 8 and appointing the lottery cabinet, two of whom had been voted out of the ministry during the legislative session by a two-thirds vote for the best of reasons. It was the lottery bribe and the autocratic design of the Queen that quickly precipitated events.

A mass meeting of the citizens was called to meet on Monday, the 16th, at 2 p. m., which assembled in the largest hall in the city. Short as was the notice, over 1,300 of the principal citizens of Honolulu and from other islands, who happened to be in the city, were in attendance. This meeting included merchants, bankers, professional men, the principal business men, and the mechanics, the chief German and some of the leading English merchants and other nationalities, as well as American residents. It is said such an assemblage was never before equaled in Honolulu. Intelligent American visitors here say that such a public meeting would do credit to a meeting of a similar class of citizens in our best American cities.

The assemblage was a unit in feeling and purpose. The speeches and resolutions are on the printed slips I herewith inclose. This remarkable uprising of the best citizens, including nearly all of the chief property holders, the Tahitian marshal and palace favorite did not dare attempt to suppress. A committee of public safety was at once created to meet the emergency and to prevent anarchy and riot. It was fortunate that the *Boston* was in the harbor. The committee on public safety called on me for aid. I promptly addressed to the commander of the *Boston*, Capt. G. S. Wiltse, the following note:

UNITED STATES LEGATION,
Honolulu, January 16, 1893.

SIR: In view of the existing critical circumstances in Honolulu, including an inadequate legal force, I request you to land marines and sailors from the ship under your command for the protection of the United States legation and United States consulate, and to secure the safety of American life and property.

Very truly, yours,

JOHN L. STEVENS,

Envoy Extraordinary and Minister Plenipotentiary of the United States.

Capt. G. C. WILTSE,
Commander U. S. S. Boston.

A copy of the call of the committee of public safety for aid is inclosed.

Promptly the men from the *Boston* were landed. Detachments were placed around the legation and the consulate, the principal members having marched to a central hall for shelter and headquarters; the night being at hand, the public anxiety being especially strong as to what might be done by irresponsible persons in the night, the landing of the men of the *Boston* so promptly gave immediate relief to the public anxiety.

As soon as practicable a Provisional Government was constituted, composed of four highly respectable men, with Judge Dole at the head, he having resigned his place on the supreme bench to assume this responsibility. He was born in Honolulu, of American parentage, educated here and in the United States, and is of the highest reputation among all citizens, both natives and whites. P. C. Jones is a native of Boston, Mass., wealthy, possessing property interests in the islands,

and a resident here for many years. The other two members are of the highest respectability. The committee of public safety forthwith took possession of the Government buildings, archives, and treasury, and installed the Provisional Government at the heads of the respective departments. This being an accomplished fact, I promptly recognized the Provisional Government as the *de facto* Government of the Hawaiian Islands. The English minister, the Portuguese chargé d'affaires, the French and the Japanese commissioners promptly did the same; these, with myself, being the only members of the diplomatic corps residing here.

All is quiet here now. Without the sacrifice of a single life this change of government has been accomplished. Language can hardly express the enthusiasm and the profound feeling of relief at this peaceful and salutary change of government. The underlying cause of this profound feeling among the citizens is the hope that the United States Government will allow these islands to pass to American control and become American soil. A commission of citizens, duly accredited, will go by the steamer that takes this dispatch to Washington, to state the wishes of the Provisional Government and of the responsible people of the islands, and to give a complete account of the existing state of things here.

It is proper that I should add, that the presence of the *Boston* here has been of the highest importance, and the behavior of officers and men has been admirable. Capt. Wiltse has exercised prudence and great firmness, while he and the undersigned have recognized only accomplished facts and have not allowed the use of the United States force for any but the most conservative reasons.

I am, sir,

JOHN L. STEVENS.

Written copy by future mail.

S.

[Inclosure 1 in No. 79.]

PROCLAMATION.

In its earlier history Hawaii possessed a constitutional government honestly and economically administered in the public interest.

The Crown called to its assistance as advisers able, honest, and conservative men, whose integrity was unquestioned even by their political opponents.

The stability of the Government was assured, armed resistance and revolution unthought of, popular rights were respected, and the privileges of the subject from time to time increased and the prerogatives of the sovereign diminished by the voluntary acts of the successive Kings.

With very few exceptions this state of affairs continued until the expiration of the first few years of the reign of His late Majesty Kalakaua. At this time a change was discernible in the spirit animating the Chief Executive and in the influences surrounding the throne. A steadily increasing disposition was manifested on the part of the King to extend the royal prerogatives; to favor adventurers and persons of no character or standing in the community; to encroach upon the rights and privileges of the people by steadily increasing corruption of electors, and by means of the power and influence of officeholders and other corrupt means to illegitimately influence the elections, resulting in the final absolute control of not only the executive and legislative, but to a certain extent the judicial departments of the Government in the interests of absolutism.

This finally resulted in the revulsion of feeling and popular uprising of 1887, which wrested from the King a large portion of his ill-gotten powers.

The leaders of this movement were not seeking personal aggrandizement, political power, or the suppression of the native Government. If this had been their object it could easily have been accomplished, for they had the absolute control of the situation.

Their object was to secure responsible Government through a representative cabinet, supported by and responsible to the people's elected representatives. A clause to this effect was inserted in the constitution, and subsequently enacted by law by the legislature, specifically covering the ground that in all matters concerning the state the sovereign was to act by and with the advice of the cabinet, and only by and with such advice.

The King willingly agreed to such proposition, expressed regret for the past, and volunteered promises for the future.

Almost from the date of such agreement and promises up to the time of his death, the history of the Government has been a continual struggle between the King on the one hand and the cabinet and legislature on the other, the former constantly endeavoring by every available form of influence and evasion to ignore his promises and agreements and regain his lost powers.

This conflict upon several occasions came to a crisis, followed each time by submission on the part of His Majesty, by renewed expressions of regret and promises to abide by the constitutional and legal restrictions in the future. In each instance such promise was kept until a further opportunity presented itself, when the conflict was renewed in defiance and regardless of all previous pledges.

Upon the accession of Her Majesty Liliuokalani, for a brief period the hope prevailed that new policy would be adopted. This hope was soon blasted by her immediately entering into conflict with the existing cabinet, who held office with the approval of a large majority of the legislature, resulting in the triumph of the Queen and the removal of the cabinet. The appointment of a new cabinet subservient to her wishes and their continuance in office until a recent date gave no opportunity for further indication of the policy which would be pursued by Her Majesty until the opening of the legislature in May of 1892.

The recent history of that session has shown a stubborn determination on the part of Her Majesty to follow the tactics of her late brother and in all possible ways to secure an extension of the royal prerogatives and an abridgment of popular rights.

During the latter part of the session the legislature was replete with corruption; bribery and other illegitimate influences were openly utilized to secure the desired end, resulting in the final complete overthrow of all opposition and the inauguration of a cabinet arbitrarily selected by Her Majesty in complete defiance of constitutional principles and popular representation.

Notwithstanding such result the defeated party peacefully submitted to the situation.

Not content with her victory Her Majesty proceeded on the last day of the session to arbitrarily arrogate to herself the right to promulgate a new constitution, which proposed, among other things, to disfranchise over one-fourth of the voters and the owners of nine-tenths of the private property of the Kingdom, to abolish the elected upper house of the legislature and to substitute in place thereof an appointive one, to be appointed by the Sovereign.

The detailed history of this attempt and the succeeding events in connection therewith is given in the report of the committee of public safety to the citizens of Honolulu and the resolution adopted at the mass meeting held on the 16th instant, the correctness of which report and the propriety of which resolution is hereby specifically affirmed.

The constitutional evolution indicated has slowly and steadily, though reluctantly and regretfully, convinced an overwhelming majority of the conservative and responsible members of the community that independent, constitutional, representative, and responsible government, able to protect itself from revolutionary uprisings and royal aggression, is no longer possible in Hawaii under the existing system of government.

Five uprisings or conspiracies against the Government have occurred within five years and seven months. It is firmly believed that the culminating revolutionary attempt of last Saturday will, unless radical measures are taken, wreck our already damaged credit abroad and precipitate to final ruin our already overstrained financial condition; and the guaranties of protection to life, liberty, and property will steadily decrease and the political situation rapidly grow worse.

In this belief, and also in the firm belief that the action hereby taken is and will be for the best personal, political, and property interests of every citizen of the land—

We, citizens and residents of the Hawaiian Islands, organized and acting for the public safety and the common good, hereby proclaim as follows:

- (1) The Hawaiian monarchical system of Government is hereby abrogated.
- (2) A provisional government for the control and management of public affairs and the protection of the public peace is hereby established, to exist until terms of union with the United States of America have been negotiated and agreed upon.
- (3) Such provisional government shall consist of an executive council of four members, who are hereby declared to be Sanford B. Dole, James A. King, Peter C.

Jones, William O. Smith, who shall administer the executive departments of the Government, the first named acting as president and chairman of such council and administering the department of foreign affairs, and the others severally administering the departments of interior, finance, and attorney-general, respectively, in the order in which they are above enumerated, according to existing Hawaiian law as far as may be consistent with this proclamation; and also of an advisory council, which shall consist of fourteen members, who are hereby declared to be S. M. Damon, L. A. Thurston, J. Emmeluth, J. H. McCandless, F. W. McChesney, W. R. Castle, W. C. Wilder, A. Brown, J. F. Morgan, H. Waterhouse, E. D. Tenney, F. Wilhelm, W. G. Ashley, C. Bolte. Such advisory council shall also have general legislative authority.

Such executive and advisory council shall, acting jointly, have power to remove any member of either council and to fill such or any other vacancy.

(4) All officers under the existing Government are hereby requested to continue to exercise their functions and perform the duties of their respective offices, with the exception of the following-named persons: Queen Liliuokalani; Charles B. Wilson, marshal; Samuel Parker, minister of foreign affairs; W. H. Cornwell, minister of finance; John F. Colburn, minister of the interior; Arthur P. Peterson, attorney-general; who are hereby removed from office.

(5) All Hawaiian laws and constitutional principles not inconsistent herewith shall continue in force until further order of the executive and advisory councils.

HENRY E. COOPER.
ANDREW BROWN.
J. A. MCCANDLESS.
THEODORE F. LANSING.
JOHN EMMELUTH.
C. BOLTE.
ED. SUHR.
HENRY WATERHOUSE.
W. C. WILDER.
F. W. MCCHESENEY.
WILLIAM O. SMITH.

[Inclosure 2 in No. 79.]

HONOLULU, HAWAIIAN ISLANDS, *January 17, 1893.*

SIR: The undersigned, members of the executive and advisory councils of the Provisional Government this day established in Hawaii, hereby state to you that for the reasons set forth in the proclamation this day issued, a copy of which is herewith inclosed for your consideration, the Hawaiian monarchy has been abrogated and a Provisional Government established in accordance with the said above-mentioned proclamation.

Such Provisional Government has been proclaimed, is now in possession of the Government departmental buildings, the archives, and the treasury, and is in control of the city. We hereby request that you will, on behalf of the United States of America, recognize it as the existing *de facto* Government of the Hawaiian Islands, and afford to it the moral support of your Government, and, if necessary, the support of American troops to assist in preserving the public peace.

We have the honor to remain your obedient servants,

SANFORD B. DOLE.
J. A. KING.
P. C. JONES.
WILLIAM O. SMITH.
S. M. DAWSON.
JOHN EMMELUTH.
F. W. MCCHESENEY.
W. C. WILDER.
J. A. MCCANDLESS.
ANDREW BROWN.
JAS. F. MORGAN.
HENRY WATERHOUSE.
E. D. TENNEY.
F. J. WILHELM.
W. G. ASHLEY.
C. BOLTE.

His Excellency JOHN L. STEVENS,
United States Minister Resident.

16 ANNEXATION TREATY WITH THE HAWAIIAN ISLANDS.

[Inclosure 3 in No. 79.]

HONOLULU, HAWAIIAN ISLANDS, *January 17, 1893.*

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

[Order No. 1.]

All persons favorable to the *Provisional Government of the Hawaiian Islands* are hereby requested to forthwith report to the Government at the Government buildings and to furnish to the Government such arms and ammunition as they may have in their possession or control as soon as possible, in order that efficient and complete protection of life and property and the public peace may immediately and efficiently be put in operation.

SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

JOHN EMMELUTH,
ANDREW BROWN,
C. BOLTE,
JAMES F. MORGAN,
HENRY WATERHOUSE,
S. M. DAMON,
W. G. ASHLEY,
E. D. TENNY,
F. W. MCCHESENEY,
W. C. WILDER,

Advisory Council of the Provisional Government of the Hawaiian Islands.

[Inclosure 4 in No. 79.]

HONOLULU, HAWAIIAN ISLANDS, *January 17, 1893.* (Issued 6 p. m.)

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

[Order No. 2.]

It is hereby ordered and decreed that until further ordered, the right of the writ of habeas corpus is hereby suspended and martial law is hereby declared to exist throughout the island of Oahu.

SANFORD B. DOLE,
Minister of Foreign Affairs,
J. A. KING,
Minister of the Interior,
P. C. JONES,
Minister of Finance,
WILLIAM O. SMITH,
Attorney-General,
Executive Council of the Provisional Government of the Hawaiian Islands.

[Inclosure 5 in No. 79.]

[Daily Pacific Commercial Advertiser, January 17, 1893.]

MASS MEETING—CITIZENS DETERMINED TO RESIST AGGRESSION—AN ENTHUSIASTIC GATHERING AT THE RIFLES' ARMORY PROTESTS AGAINST THE REVOLUTIONARY ATTITUDE OF THE QUEEN—RESOLUTIONS ADOPTED AND THE COMMITTEE OF PUBLIC SAFETY AUTHORIZED TO TAKE FURTHER STEPS.

At 2 p. m. yesterday the Honolulu Rifles' armory was the scene of one of the largest and most enthusiastic mass meetings ever held in Honolulu. It was called by the committee of public safety for the purpose of protesting against the revolutionary aggressions of the Queen. At 1:30 citizens began to assemble, and before 2 o'clock

the large building was crowded to its utmost capacity, 1,260 being present, by actual count, while many others came later. Every class in the community was fully represented, mechanics, merchants, professional men, and artisans of every kind being present in full force. The meeting was intensely enthusiastic, being animated by a common purpose and feeling, and most of the speakers were applauded to the echo. Hon. W. C. Wilder, of the committee of safety, was the chairman.

Mr. WILDER said: Fellow citizens, I have been requested to act as chairman of the meeting. Were it a common occurrence, I should consider it an honor, but to-day, we are not here to do honor to anybody. I accept the chairmanship of this meeting as a duty. [Applause.] We meet here to-day as men—not as any party, faction, or creed, but as men who are bound to see good government. It is well known to you all what took place at the palace last Saturday. I need not tell you the object of this meeting, and no such meeting has been held since 1887. There is the same reason now as then. An impromptu meeting of citizens was called Saturday to take measures for the public safety. The report of the committee will be read to you. We do not meet as revolutionists, but as peaceful citizens who have the right to meet and state their grievances. [Loud applause.] We will maintain our rights and have courage to maintain them. [Universal cheers.]

Noble Thurston being introduced by the chairman read the report of the committee of safety.

“REPORT OF THE COMMITTEE OF SAFETY.

“*To the citizens of Honolulu:*

“On the morning of last Saturday, the 14th instant, the city was startled by the information that Her Majesty Queen Liliuokalani had announced her intention to arbitrarily promulgate a new constitution, and that three of the newly appointed cabinet ministers had, or were about to, resign in consequence thereof.

“Immediately after the prorogation of the legislature at noon the Queen, accompanied, by her orders, by the cabinet, retired to the palace; the entire military force of the Government was drawn up in line in front of the building, and remained there until dark, and a crowd of several hundred native sympathizers with the new-constitution project gathered in the throne room and about the palace. The Queen then retired with the cabinet, informed them that she had a new constitution ready, that she intended to promulgate it and proposed to do so then and there, and demanded that they countersign her signature.

“She turned a deaf ear to their statements and protests that the proposed action would inevitably cause the streets of Honolulu to run red with blood, and threatened that unless they complied with her demand she would herself immediately go out upon the steps of the palace and announce to the assembled crowd that the reason she did not give them the new constitution was because the ministers would not let her. Three of the ministers, fearing mob violence, immediately withdrew and returned to the Government building. They were immediately summoned back to the palace, but refused to go on the ground that there was no guaranty of their personal safety.

“The only forces under the control of the Government are the household guards and the police. The former are nominally under the control of the minister of foreign affairs and actually under the control of their immediate commander, Maj. Nowlein, a personal adherent of the Queen.

“The police are under the control of Marshal Wilson, the open and avowed royal favorite. Although the marshal is nominally under the control of the attorney-general, Her Majesty recently announced in a public speech that she would not allow him to be removed. Although the marshal now states that he is opposed to the Queen’s proposition, he also states that if the final issue arises between the Queen and the cabinet and people he will support the Queen.

“The cabinet was absolutely powerless and appealed to citizens for support.

“Later they reluctantly returned to the palace, by request of the Queen, and for nearly two hours she again endeavored to force them to acquiesce in her desire, and upon their final refusal announced in a public speech in the throne room and again from the upper gallery of the palace that she desired to issue the constitution, but was prevented from doing so by her ministers and would issue it in a few days.

“The citizens responded to the appeal of the cabinet to resist the revolutionary attempt of the Queen, by gathering at the office of William O. Smith.

“Late in the afternoon it was felt that bloodshed and riot were imminent; that the community could expect no protection from the legal authorities; that, on the contrary, they would undoubtedly be made the instruments of royal aggression. An impromptu meeting of citizens was held, which was attended by the attorney-general, and which was addressed, among others, by the minister of the interior, J. F. Colburn, who stated to the meeting substantially the foregoing facts.

“The meeting unanimously passed a resolution that the public welfare required

the appointment of a committee of public safety of thirteen, to consider the situation and devise ways and means for the maintenance of the public peace and the protection of life and property.

"Such a committee was forthwith appointed and has followed its instructions.

"The first step which the committee consider necessary is to secure openly, publicly, and peaceably, through the medium of a mass meeting of citizens, a condemnation of the proceedings of the party of revolution and disorder and a confirmation from such larger meeting of the authority now vested in the committee.

"For such purpose the committee hereby recommends the adoption of the following resolution:

"RESOLUTION.

"1. Whereas Her Majesty Liliuokalani, acting in conjunction with certain other persons, has illegally and unconstitutionally and against the advice and consent of the lawful executive officers of the Government, attempted to abrogate the existing constitution and proclaim a new one in subversion of the rights of the people;

"2. And whereas such attempt has been accompanied by threats of violence and bloodshed and a display of armed force, and such attempt and acts and threats are revolutionary and treasonable in character;

"3. And whereas Her Majesty's cabinet have informed her that such contemplated action was unlawful and would lead to bloodshed and riot and have implored and demanded of her to desist from and renounce such proposed action;

"4. And whereas such advice has been in vain, and Her Majesty has in a public speech announced that she was desirous and ready to promulgate such constitution, the same being now ready for such purpose, and that the only reason why it was not now promulgated was because she had met with unexpected obstacles and that a fitting opportunity in the future must be awaited for the consummation of such object, which would be within a few days;

"5. And whereas at a public meeting of citizens held in Honolulu on the 14th day of January instant a committee of thirteen to be known as the 'committee of public safety' was appointed to consider the situation and to devise ways and means for the maintenance of the public peace and safety and the preservation of life and property;

"6. And whereas such committee has recommended the calling of this mass meeting of citizens to protest against and condemn such action and has this day presented a report to such meeting denouncing the action of the Queen and her supporters as being unlawful, unwarranted, in derogation of the rights of the people, endangering the peace of the community, and tending to excite riot and cause the loss of life and destruction of property:

"Now, therefore, we, the citizens of Honolulu of all nationalities and regardless of political party affiliations, do hereby condemn and denounce the action of the Queen and her supporters;

"And we do hereby ratify the appointment and indorse the action taken and report made by the said committee of safety; and we do hereby further empower such committee to further consider the situation and further devise such ways and means as may be necessary to secure the permanent maintenance of law and order and the protection of life, liberty, and property in Hawaii."

Mr. THURSTON said: Mr. Chairman: Hawaii is a wonderful country. We are divided into parties and nationalities and factions, but there are moments when we are united and move shoulder to shoulder, moved by one common desire for the public good. Three times during the past twelve years this has happened—in 1880, 1887 and to-day. They say it is ended, it is done, there is nothing to consider. Is it so? [Calls of no! no!] I say, gentlemen, that now and here is the time to act. [Loud cheers.] The Queen says she won't do it again. [Cries of humbug.] Fellow-citizens, have you any memories? Hasn't she once before promised—sworn solemnly before Almighty God to maintain this constitution? What is her word worth? [Calls of nothing! nothing!] It is an old saying that a royal promise is made to be broken. Fellow-citizens, remember it. We have not sought this situation. Last Saturday the sun rose on a peaceful and smiling city; to-day it is otherwise.

Whose fault is it? Queen Liliuokalani's. It is not her fault that the streets have not run red with blood. She has printed a proclamation and at the same time, perhaps sent out by the same carriers, her organ prints an extra with her speech with bitterer language than in the Advertiser. She wants us to sleep on a slumbering volcano which will one morning spew out blood and destroy us all. The Constitution gives us the right to assemble peacefully and express our grievances. We are here doing that to-day without arms. The man who has not the spirit to rise after the menaces to our liberties has no right to keep them. Has the tropic sun cooled and thinned our blood, or have we flowing in our veins the warm, rich blood which loves liberty and dies for it? I move the adoption of the resolution.

[Tumultuous applause.]

Mr. H. F. GLADE. The Queen has done an unlawful thing in ignoring the constitution which she had sworn to uphold. We most decidedly protest against such revolutionary proceeding, and we should do all we possibly can to prevent her from repeating actions which result in disorder and riot. We now have a promise from the Queen that proceedings as we experienced on Saturday shall not occur again; but we should have such assurances and guaranties for this promise that will really satisfy us and convince us of the faith and earnestness of the promise given, of which we now have no assurance. What such guaranties and assurances ought to be I can not at this moment say or recommend. This should be referred to the committee of safety for their careful consideration. I second the motion.

Mr. Young, in addressing the meeting, spoke as follows:

Mr. Chairman and fellow-citizens: In June, 1887, I stood on this same platform and addressed an audience almost as large as the one now before me. At that time we had met to consider a resolution that looked toward a new constitution, which proposed constitution was considered the most effectual method of removing some flagrant abuses in governmental affairs, practiced by the King and his cabinets. The constitution was promulgated. To-day we have met to consider the action of Her Majesty in attempting to set aside the constitution we all worked so hard to have promulgated, in the lost interests of the sovereign and the people at large, as well as for the redemption of the credit of the Kingdom abroad. It has long been reported that at some favorable opportunity the Queen would spring a new constitution upon the people and place matters even more in the hands of the sovereign than they were before the revolution of 1887. Some did not believe the rumors, but the actions of the Queen in the last few days have convinced the most skeptical that the rumors were well founded and that she had been pregnant with this unborn constitution for a long time; but it could not be born till under the propitious star.

In trying to promulgate this long-promised constitution the Queen has therefore premeditatedly committed a breach of faith with one portion of her subjects in order to satisfy the clamors of a faction of natives urged by the influence of a mischievous element of foreigners who mean no good to the Queen or the people, but simply for the purpose of providing avenues for carrying out more perfectly the smuggling of opium and diverting the contents of the treasury into their own pockets. A by-authority circular has now been handed around setting forth that the Queen and her cabinet had decided not to press the promulgation of a new constitution; but can we depend on this promise of Her Majesty? Is this promise any more binding upon her than the oath she took before Almighty God to support and maintain the present constitution? Has not the Queen resorted to very questionable methods in an underhanded way to remove what, to the people, was one of the most acceptable cabinets ever commissioned by any sovereign in this Kingdom, in order that four other ministers might be appointed that would carry out her behest, treasonable or otherwise, as might be most conveniently within their scope?

I say, have we any reasonable assurance that the Queen and her ministers have abandoned finally the new constitution promulgation scheme? [Roars of "No" from the audience.] My fellow citizens, while the Queen and her cabinet continue to trifle with and play fast and loose with the affairs of state there can be no feeling of security for foreign families residing within these domains. There can be no business prosperity here at home, and our credit abroad must be of the flimsiest and most uncertain nature. And you, business men, who are toiling honestly for your bread and butter, will have to put up with thin bread and much thinner butter if this farcical work is continued. In order that matters may be set to rights again, and that honest, stable, and honorable government may be maintained in Hawaii, I support the resolution and trust that it will be passed unanimously by this meeting.

Mr. C. BOLTE. Since the resolution which was read here has been written things have changed. On Saturday the Queen promised the native people that she would give them a new constitution under all circumstances; she did not say exactly when, but as soon as possible. This morning a proclamation was issued, in which she says that her attempt to promulgate a new constitution last Saturday was made under stress of her native subjects, but that she will not do it again. An attempt to change the fundamental law of the land is a very serious matter, a matter that requires a good deal of consideration, and I am well convinced that this matter has been weighed and considered for more than a day by the Queen, and that there was no acting on the spur of the moment under the stress of her native subjects about it. It was her well premeditated conclusion that she would change the constitution so as to suit herself, on the day of prorogation of the legislature. Many people knew this several days ago, but there have been so many rumors about all sorts of things that not very much attention was paid to it; it was expected that she might change her mind before that day would come. But she did not change her mind as soon as that; she told the native people that she was ready to give them a new constitution right then and there, but that she could not do it because her ministers would not

let her. Now she has changed her mind; she makes a sort of excuse for what she did, and says she will never do it again.

It seems to me that the question that your committee has to ask now, and which is for you gentlemen here in the meeting to decide is this: Are you satisfied with the assurance given in to-day's proclamation signed by the Queen and the four ministers, and will you consider this matter ended, or do you desire greater and stronger guarantees for the safety and preservation of your life and liberty and property? I am one of the citizens' committee of public safety; my views on the situation are expressed in the resolutions which have just been read, and I trust you will show that you are of the same mind as the committee by adopting these resolutions.

Hon. H. P. BALDWIN. I feel, with the rest of you, that the actions of the Queen have put the country in a very critical situation. Before this revolutionary act of Her Majesty we were getting along. A ministry had been appointed which would probably have been able to pull us through. The McKinley bill had put the whole country into a critical situation. We were working up new industries. Mr. Dillingham was trying to build a railroad around this island. The Queen seems to have blinded herself to all these things. She has followed a whim of her own—a whim of an irresponsible body of Hawaiians—and tried to establish a new constitution. We must stop this; but we must not go beyond constitutional means. I favor this resolution, but think the committee should act within the constitution. There is no question that the Queen has done a revolutionary act; there is no doubt about that. The Queen's proclamation has not inspired confidence; but shall we not teach her to act within the constitution? [Loud calls of "No."] Well, gentlemen, I am ready to act when the time comes.

J. EMMELUTH wished to say a few words on the situation. He had heard the Queen's speech at the palace, and noted the expression of her face. It was fiendish. When the petitioners filed out he reflected on the fact that thirty men could paralyze the business of the community for twenty-four hours. It was not they that did it, but the schemers behind them, and perhaps a woman, too. It was not the Hawaiians that wanted the new constitution; not those who worked. This was the third time that he had shut his doors, let his men go, and came up to this building. It would be the last time. If we let this time go by we would deserve all we would get. An opportunity came once in every lifetime. It had come to us, and if we finished as we should, a repetition of last Saturday would never occur in this country again. [Applause.] We must stand shoulder to shoulder. There was but one course to pursue, and we would all see it. The manifesto of this morning was bosh. "I won't do it any more; but give me a chance and I'll do it again." If the Queen had succeeded last Saturday, myself and you would have been robbed of the privileges without which no white man can live in this community. "Fear not, be not afraid," was written in my Bible by my mother twenty-five years ago. Gentlemen, I have done. As far as the Hawaiians are concerned, all have an aloha for them, and we wish to have laws enabling us to live peaceably together.

R. J. GREENE. Fellow citizens, among the many things I never could do was to make an impromptu speech. I have tried it over and over again and never succeeded but once, and that was after five weeks' preparation. Our patience has been exhausted. We all agree about the case. The question is, the remedy. John Greene, of Rhode Island, entered the war of the Revolution and served throughout. His son, my father, served through the war of 1812, until that little matter was settled. In 1862 John Greene, my father, stood before a meeting like this, and said he had four sons in the war, of whom I was the youngest, and would serve himself if he was not too old. This experience has biased my judgment as to some matters of civil government. It is too late to throw obstacles across the path of its progress here. I have adopted this flag and am loyal to it, but I am not willing to go one step back in the matter of civil liberty, and I will give the last drop of Rhode Island blood in my veins to go forward, and not back. [Cheers.]

Chairman Wilder read the latter part of the resolution.

It was passed by a unanimous standing vote, without a dissenting voice, and amid tremendous cheers, after which the meeting broke up.

[Inclosure 6 in No. 79.]

[Daily Pacific Commercial Advertiser, January 18, 1893.]

THE NEW ERA—THE REVOLUTION TERMINATED BY THE ESTABLISHING OF A PROVISIONAL GOVERNMENT—CITIZENS RISE AND SEIZE THE GOVERNMENT BUILDING—THE MONARCHY ABROGATED—ENTHUSIASTIC VOLUNTEERS RALLY ROUND THE NEW GOVERNMENT—THE LATE QUEEN AND CABINET YIELD AND LEAVE THE TOWN UNDER THE QUIET PROTECTION OF ITS OWN CITIZENS—FULL TEXT OF THE PROCLAMATION AND ORDERS.

All day yesterday the community were in a state of expectancy, looking to the committee of public safety to do something to end the state of tension, and to secure the rights of all citizens against encroachment once and for all. The committee in the meantime was not idle, but was incessantly occupied completing its organization and perfecting the final arrangements necessary to the proclamation of the Provisional Government and its protection by an armed force. At about 2:30 o'clock an attempt was made by three native policemen to arrest the progress of a wagon which was being driven up Fort street, by Mr. Benner and Mr. Good. Those in charge of the wagon resisted the attempt of the officers to arrest its course. One of the officers making a motion to draw a revolver, Mr. Good drew his own, and calling attention to the fact that he was justified in shooting, he fired, seeking, however, to avoid the infliction of a dangerous wound. The wagon pursued its way, followed by a policeman in a hack. This episode precipitated the movement. Citizens hurried to the Beretania street armory, where they were formed into companies and marched to the Government building.

In the meantime the committee of public safety, accompanied by members of the government about to be formed, proceeded to the Government building. They were entirely unarmed. Arrived at the Government building the committee inquired for the cabinet, but the ministers were not to be found. They then demanded and received of Mr. Hassinger the possession of the building. The party now proceeded to the front steps and, in the presence of a rapidly increasing crowd, the following proclamation was read:

Before the reading of the proclamation was completed the volunteers from the Rifles' armory began to assemble in force. The grounds of Aliioli Hale were cleared and a guard set at all the gates.

The following orders were then promptly issued by the Provisional Government:

HONOLULU, HAWAIIAN ISLANDS,
January 17, 1893.

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

[Order No. 1.]

All persons favorable to the Provisional Government of the Hawaiian Islands are hereby requested to forthwith report to the Government at the Government building and to furnish the Government such arms and ammunition as they may have in their possession or control as soon as possible, in order that efficient and complete protection of life and property and the public peace may be immediately and efficiently put into operation.

SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,

Executive Council of the Provisional Government of the Hawaiian Islands.

JOHN EMMELUTH,
ANDREW BROWN,
C. BOLTE,
JAMES F. MORGAN,
HENRY WATERHOUSE,
S. M. DAMON,
W. G. ASHLEY,
E. D. TENNY,
F. W. MCCHESENEY,
W. C. WILDER,
J. A. MCCANDLESS,
W. R. CASTLE,
LORRINA A. THURSTON,
F. J. WILHELM,

Advisory Council of the Provisional Government of the Hawaiian Islands.

HONOLULU, HAWAIIAN ISLANDS, *January 17, 1893.*

PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

[Order No. 2.]

It is hereby ordered and decreed that until further ordered the right of the writ of habeas corpus is hereby suspended, and marshal law is hereby declared to exist throughout the island of Oahu.

SANFORD B. DOLE,
Minister of Foreign Affairs,
 J. A. KING,
Minister of the Interior,
 P. C. JONES,
Minister of Finance,
 WILLIAM O. SMITH,
Attorney-General,

Executive Council of the Provisional Government of the Hawaiian Islands.

The Provisional Government sent for the late ministers, who were at the police station. Two of them came, and finally all four repaired to the headquarters of the new government, where formal demand was made upon them for the possession of the police station. The exministers asked for time to deliberate upon this demand. They went to the palace in company with Hon. Samuel M. Damon, and held a consultation with Liliuokalani. The result was a compromise proposition, which was rejected by the Provisional Government. After further consultation the following protest was noted:

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the Constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

That I yield to the superior force of the United States of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the said Provisional Government.

Now, to avoid any collision of armed forces and perhaps the loss of life, I do, under this protest, and impelled by said force, yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me in the authority which I claim as the constitutional Sovereign of the Hawaiian Islands.

Done at Honolulu this 17th day of January, A. D. 1893.

LILIUOKALANI, R.
 SAMUEL PARKER,
Minister of Foreign Affairs.
 WM. H. CORNWALL,
Minister of Finance.
 JNO. F. COLBURN,
Minister of the Interior.
 A. P. PETERSON,
Attorney-General.

S. B. DOLE, Esq., and others,

Composing the Provisional Government of the Hawaiian Islands.

(Indorsed:) Received by the hands of the late cabinet this 17th day of January, A. D. 1893. (Signed) Sanford B. Dole, chairman of the executive council of Provisional Government.

The late Queen and cabinet accordingly yielded unconditionally, and the police station was turned over to Commander Soper and Capt. Ziegler with forty men from Company A. Mr. Wilson made a short address to the police force assembled in the station, telling them that resistance was no longer feasible.

The Provisional Government sent notifications of the situation to the representatives of foreign powers. The following answer to the request for recognition was received from his excellency John L. Stevens:

"A Provisional Government having been duly constituted in the place of the recent Government of Queen Liliuokalani, and said Provisional Government being in full possession of the Government building, the archives, and the treasury, and in control of the capital of the Hawaiian Islands, I hereby recognize said Provisional Government as the *de facto* Government of the Hawaiian Islands.

"JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

At latest advices the Provisional Government was in complete possession of the city, and the only Government possessing, exercising, or claiming any authority or power whatsoever.

No. 3.

*Mr. Dole to Mr. Foster.*DEPARTMENT OF FOREIGN AFFAIRS,
Honolulu, Hawaiian Islands, January 18, 1893.

(Received February 3.)

SIR: I have the honor to inform you that, as president of the executive and advisory council of the Provisional Government of the Hawaiian Islands, I have this day commissioned and appointed the following gentlemen as special commissioners from this Government to that of the United States of America, viz, Hon. L. A. Thurston, W. R. Castle, esq., Hon. W. C. Wilder, Charles L. Carter, esq., Hon. Joseph Marsden, accrediting them to his excellency the President of the United States.

A copy of their credentials will be found inclosed.

Expressing the hope that these gentlemen will prove acceptable to the United States as the representatives of this Government, and that you will extend them all proper assistance in furtherance of their mission,

With sentiments of the highest esteem and respect,
I have, etc.,

SANFORD B. DOLE,
Minister of Foreign Affairs.

(Inclosures:) Copies of the credential letters of the five commissioners. For text see Credentials of Mr. Lorrin A. Thurston, printed as paper No. 13, *post*.

No. 4.

Ex-Queen Liliuokalani to the President.

(Received February 3, 1893.)

His Excellency BENJAMIN HARRISON,
President of the United States:

MY GREAT AND GOOD FRIEND: It is with deep regret that I address you on this occasion. Some of my subjects, aided by aliens, have renounced their loyalty and revolted against the constitutional government of my Kingdom. They have attempted to depose me and to establish a provisional government, in direct conflict with the organic law of this Kingdom. Upon receiving incontestable proof that his excellency the minister plenipotentiary of the United States, aided and abetted their unlawful movements and caused United States troops to be landed for that purpose, I submitted to force, believing that he would not have acted in that manner unless by the authority of the Government which he represents.

This action on my part was prompted by three reasons: The futility of a conflict with the United States; the desire to avoid violence, bloodshed, and the destruction of life and property, and the certainty which I feel that you and your Government will right whatever wrongs may have been inflicted upon us in the premises.

In due time a statement of the true facts relating this matter will be laid before you, and I live in the hope that you will judge uprightly and justly between myself and my enemies.

This appeal is not made for myself personally, but for my people who have hitherto always enjoyed the friendship and protection of the United States.

My opponents have taken the only vessel which could be obtained here for the purpose, and hearing of their intention to send a delegation of their number to present their side of this conflict before you, I requested the favor of sending by the same vessel an envoy to you, to lay before you my statement, as the facts appear to myself and my loyal subjects.

This request has been refused and I now ask you that in justice to myself and to my people that no steps be taken by the Government of the United States until my cause can be heard by you.

I shall be able to dispatch an envoy about the 2d day of February, as that will be the first available opportunity hence, and he will reach you with every possible haste that there may be no delay in the settlement of this matter.

I pray you, therefore, my good friend, that you will not allow any conclusions to be reached by you until my envoy arrives.

I beg to assure you of the continuance of my highest consideration.

LILIUOKALANI, R.

HONOLULU, *January 18, 1893.*

No. 5.

Mr. Stevens to Mr. Foster.

No. 80.]

UNITED STATES LEGATION,
Honolulu, January 19, 1893. (Received February 3.)

SIR: The Provisional Government of Hawaii, by special steamer, send a commission to Washington with full powers to negotiate with the Government of the United States. It is composed of six representative men of the highest respectability. Hon. William C. Wilder is the president and chief manager of the Interisland Steamship Company, running steamers among the islands, and he has large property interests in Honolulu. Hon. C. M. [surname omitted] is a leading lumber merchant, doing business with Puget Sound and Oregon, born here of the best American stock. Hon. L. A. Thurston is one of the most, if not *the* most talented and influential man on the islands, and is of the highest respectability. He and his father were born on the islands, of Connecticut parentage. Though a young man, he was the leading member of the reform cabinet from July, 1887, to 1890.

Hon. William H. Castle is a lawyer of eminence, born on the islands, of western New York parentage, his father still living here at the age of 84, having resided in Honolulu nearly half a century, and for many years exercised a large influence here. Mr. Charles P. Carter is the son of the recent Hawaiian minister at Washington, Hon. H. P. Carter, and is an accomplished and most reliable gentleman, American to the core, and has a Michigan wife. Hon. Mr. Marsden is of English birth, is a prominent business man and a noble in the legislature.

These six commissioners represent a large preponderating proportion of the property holders and commercial interests of these islands. They are backed by the influences which will enable them to fully carry out their agreements with the United States Government.

I am, sir, etc.,

JOHN L. STEVENS.

No. 6.

[Telegram.]

*Mr. Foster to Mr. Stevens.*DEPARTMENT OF STATE,
Washington, January 28, 1893.

Your dispatch, telegraphed from San Francisco, announcing revolution and establishment of a Provisional Government was received to-day. Your course in recognizing an unopposed *de facto* government appears to have been discreet and in accordance with the facts. The rule of this Government has uniformly been to recognize and enter into relation with any actual government in full possession of effective power with the assent of the people. You will continue to recognize the new Government under such conditions. It is trusted that the change, besides conducing to the tranquillity and welfare of the Hawaiian Islands, will tend to draw closer the intimate ties of amity and common interests which so conspicuously and necessarily link them to the United States. You will keep in constant communication with the commander of the United States naval force at Honolulu, with a view to acting if need be for the protection of the interests and property of American citizens and aiding in the preservation of good order under the changed condition reported.

JOHN W. FOSTER.

No. 7.

*Mr. Tracy to Mr. Foster.*NAVY DEPARTMENT,
Washington, January 28, 1893. (Received January 28.)

SIR: I have the honor to inclose for your information a copy of a dispatch received this date from Capt. G. C. Wiltse, commanding officer U. S. S. *Boston*.

I have, etc.,

B. F. TRACY,
Secretary of the Navy.

[Inclosure.]

Capt. Wiltse to Mr. Tracy.

HONOLULU, January 18, 1893. (Via San Francisco, January 28.)

The cabinet was voted out on January 12; another was appointed on January 14, on which date the Queen prorogued the legislature and attempted to proclaim new constitution. At 2 p. m. on January 16 the citizens met and organized a committee of safety. At 4:30 p. m. landed force in accordance with the request of the United States minister plenipotentiary.

Tuesday (17th) afternoon the Provisional Government was established; the Queen dethroned. The revolution was accomplished without loss of life. Everything is quiet. Commission appointed so as to negotiate terms of annexation to the United States Government.

WILTSE.

No. 8.

Mr. Stevens to Mr. Foster.

[Telegram.]

HONOLULU, *February 1, 1893.*

(Via San Francisco, Feb. 9, 1893. Received Feb. 9, 4:30 p. m.)

Provisional Government of Hawaii gaining power and respect. Everything is quiet. Annexation sentiment is increasing. Dead monarchy and opposition to annexation is supported chiefly by lottery and opium ring. Today at 9 a. m., in accordance with the request of Provisional Government of Hawaii, I have placed Government of Hawaii under the United States protection during negotiations, not interfering with the execution of public affairs. Have mailed important dispatches. Have sent duplicate copies of dispatches. It is advisable that Commodore Skerrett proceed at once to Honolulu, Sandwich Islands, with one or more United States ships as precautionary measures.

STEVENS.

No. 9.

Mr. Smith to Mr. Foster.

HAWAIIAN LEGATION,

Washington, February 3, 1893. (Received February 3.)

SIR: I beg to submit to you (copy of) official dispatch of the Provisional Government of Hawaii, received by me yesterday.

It announces the sending of five commissioners, Hon. L. A. Thurston, W. R. Castle, esq., Hon. W. C. Wilder, C. L. Carter, esq., Hon. Joseph Marsden, to treat with the Government of the United States.

These gentlemen will arrive in Washington this day, and with your consent, I shall be glad to present them to you to-morrow, at the State Department.

Renewing assurance of my highest consideration,

J. MOTT SMITH.

[Inclosure 1.]

Mr. Dole to Mr. Smith.

DEPARTMENT OF FOREIGN AFFAIRS,

Honolulu, Hawaiian Islands, January 18, 1893.

SIR: I have the honor to inform your excellency that by public proclamation made on the 17th instant, from the Government building, in all formal style, the Hawaiian monarchy was abrogated and a Provisional Government over the Hawaiian Islands established, as is duly set forth in the copy of the proclamation handed to your excellency herewith.

It having been found necessary to dispatch a commission of five gentlemen to Washington for the purpose of carrying out the provisions expressed in such proclamation, I have this day, by and with the advice and consent of the executive and advisory councils of the Provisional Government, appointed and commissioned the following-named gentlemen as such commissioners: Hon. L. A. Thurston, W. R. Castle, esq., Hon. W. C. Wilder, C. L. Carter, esq., Hon. Joseph Marsden, who have been presented with the proper credentials to the President of the United States and the Secretary of State.

I would therefore request your excellency to render all possible aid and assistance in your power to the furthering of their mission, the success of which the Provisional Government earnestly desires to consummate.

With the highest respect and consideration,
I have the honor, etc.,

SANFORD B. DOLE,
Minister of Foreign Affairs.

[Inclosure 2.]

[Proclamation of the Provisional Government of the Hawaiian Islands, January 17, 1893, printed *ante* as inclosure with Mr. Stevens's No. 79 of January 18, 1893.]

No. 10.

Mr. Tracy to Mr. Foster.

NAVY DEPARTMENT,
Washington, February 3, 1893. (Received February 3.)

SIR: I have the honor to transmit herewith a copy of a communication received this day from Capt. G. C. Wiltse, U. S. Navy, commanding the U. S. S. *Boston*, relating to Hawaiian affairs.

I have the honor, etc.,

B. F. TRACY,
Secretary of the Navy.

[Inclosure.]

Capt. Wiltse to Mr. Tracy.

U. S. S. BOSTON, SECOND RATE,
Honolulu, Hawaiian Islands, January 18, 1893.

SIR: I have the honor to make the following report concerning the condition of political affairs in the Hawaiian Islands:

As stated in my communication of January 4, 1893, the *Boston* sailed from this port for Hilo, Hawaii, with the United States minister on board.

During the absence of the ship from this port, on January 12, the cabinet was voted out of office by a vote of 25 to 16. Another cabinet was appointed on January 14.

On the morning of January 14 the *Boston* arrived in this port from Lahina, Maui, and came to anchor. At noon on the same day the legislature was prorogued by the Queen, and it was rumored that the Queen intended proclaiming a new constitution. This, however, was not done. On Monday, January 16, there was a large and enthusiastic mass meeting, composed of the representative men of Honolulu, held in the largest hall in the city, at 2 p. m. On the same day I received from the United States minister a request to land the sailors and marines of the *Boston* to protect the United States legation, consulate, and the lives and property of American citizens.

At 4:30 p. m., January 16, I landed the ship's battalion under command of Lieut. Commander William T. Swinburne.

One detachment of marines was placed at the legation and one at the consulate, while the main body of men, with two pieces of artillery, were quartered in a hall of central location near the Government building.

On Tuesday, January 17, a provisional government was established and the Queen dethroned.

The Provisional Government took possession of the Government buildings, the archives, and the treasury, the Queen acquiescing under protest. The Provisional Government was recognized as the *de facto* Government of the Hawaiian Islands by the United States minister.

The revolution has been accomplished without the loss of a single life, and to-day, January 18, the Provisional Government has possession and control of the city, which is under martial law.

I am informed that commissioners will leave to-morrow for Washington fully accredited for purposes of negotiation to permit these islands to come under the control of the United States.

Very respectfully,

G. C. WILTSE,
Captain, U. S. Navy, Commanding U. S. S. Boston.

No. 11.

The Hawaiian special commissioners to Mr. Foster.

WASHINGTON, February 3, 1893.

SIR: We have the honor to hereby inform you that by order of his excellency Sanford B. Dole, president and minister of foreign affairs of the executive council of the Provisional Government of the Hawaiian Islands and of the executive council of such Government, Messrs. L. A. Thurston, W. C. Wilder, W. R. Castle, J. Marsden, and C. L. Carter have been constituted and appointed special commissioners to the President of the United States, with instructions to proceed forthwith to Washington and there to represent to the President and Government of the United States of America the facts leading up to and concerning the establishment of the Provisional Government of the Hawaiian Islands, and to request from such Government of the United States of America that the acknowledgment and recognition of such Provisional Government of the Hawaiian Islands heretofore given to such Provisional Government by his excellency John L. Stevens, envoy extraordinary and minister plenipotentiary of the United States of America at Hawaii, may be confirmed by the President and Government of the United States of America.

And also the said commissioners are instructed and fully authorized and empowered by the said Provisional Government to negotiate a treaty between the said Provisional Government of the Hawaiian Islands and the Government of the United States of America, by the terms of which full and complete political union may be secured between the United States of America and the Hawaiian Islands.

In accordance with such instructions we hereby present for your consideration a brief statement of the principal facts leading up to and concerning the establishment of the Provisional Government of the Hawaiian Islands, as follows:

On Saturday, the 14th of January, ultimo, Her Majesty Liliuokalani, Queen of the Hawaiian Kingdom, attempted with force to abrogate the existing constitution of the Hawaiian Kingdom and promulgate a new constitution. Such attempt was resisted by her cabinet, whom she threatened with violence. She finally desisted from her attempt to immediately promulgate the proposed constitution, announcing in two public speeches, however, that she had not abandoned such project, but would carry the same into effect "within a few days."

All of the military and police forces of the Kingdom being directly under the control of the personal adherents of the Queen, the cabinet appealed to citizens for protection and support against the proposed aggression. The citizens rallied in opposition to the project of the Queen, and at a public meeting appointed a committee of public safety,

of thirteen members, to consider the situation and devise ways and means for the maintenance of the public peace and the protection of life and property.

After considering the situation, such committee called a public meeting of citizens on Monday, the 16th of said January. Such meeting was duly held, to the number of about fifteen hundred of the leading citizens. A report by such committee was submitted to such meeting, recommending the adoption of certain resolutions. Such resolutions were unanimously adopted. A copy of such report and resolutions, marked Inclosure A, is herewith submitted.

A few hours before such meeting a proclamation was issued by the Queen and cabinet, a copy of which is inclosed herewith and marked Inclosure B.

On the afternoon of the same day, the Queen then having about four hundred men under arms and the people being in open preparation for dethroning her, with every indication of a conflict, the United States troops landed and a guard was stationed at the American consulate and legation and the remainder were quartered in a public hall hired for that purpose.

They neither then nor at any time since have taken any part either for or against the Queen or the Provisional Government.

After full consideration by the said committee and consultation with leading citizens of all nationalities, it was the unanimous opinion of such committee and citizens that the statements of fact in such proclamation did not detract from the necessity for action, and the undertaking therein contained was deemed unreliable; and for the reasons briefly set forth in such above-mentioned report of the committee of safety and resolutions, and also in the proclamation hereunder referred to, there was no longer any possibility of efficiently and permanently maintaining the public peace and the protection of life, liberty, and property in Hawaii under the existing system of government, and that the only method of maintaining such permanent peace and security was by securing the assistance and support of the Government of the United States, or some other foreign power possessed of sufficient force to prevent the future possibility of revolution or despotic assumption of power in derogation of the rights of the people.

In accordance with such conclusion, such committee, representing almost the entire property and intelligence of the Hawaiian Islands, on the 17th day of said January issued a proclamation abrogating the monarchy, deposing Queen Liliuokalani, and establishing a Provisional Government, "to exist until terms of union with the United States of America have been negotiated and agreed upon," a copy of which proclamation, marked Inclosure C, is submitted herewith.

Immediately after such proclamation such Provisional Government took possession of the city of Honolulu, including the Government buildings, the archives and the treasury, and within a few hours thereafter received surrender of all the military and police forces, thereby coming into full possession of the Kingdom.

Immediately after such possession had been obtained notification thereof was given to the representatives of all foreign countries represented at Honolulu, accompanied by the request that such representatives extend to said Provisional Government their recognition.

In reply to such request the representative of the United States of America accorded such recognition upon the same day that it was requested, to wit, the 17th of said January, and on the following day recognition of such Provisional Government was made by the repre-

representatives of Germany, Austria-Hungary, Italy, Russia, Spain, Norway and Sweden, The Netherlands, Denmark, Belgium, Mexico, Chile, Peru, and China; and on the following day, to wit, the 19th of said January, recognition of such Provisional Government was extended by the representatives of France and Portugal. Copies of the acknowledgments of the said representatives of foreign Governments, with the exception of those of the representatives of Portugal and France, which were received too late to obtain copies thereof, are inclosed herewith, marked Inclosure D.

In further pursuance of such instructions we hereby request that the acknowledgment and recognition of the Provisional Government of the Hawaiian Islands by the representative of the United States of America at Hawaii may be confirmed by the Government of the United States of America.

And also in further pursuance of such instructions we herewith present a communication from the said executive council of the Provisional Government of the Hawaiian Islands to Benjamin Harrison, President of the United States of America, informing him of the appointment of the above-named L. A. Thurston, W. C. Wilder, W. R. Castle, J. Marsden, and C. L. Carter as special commissioners with full power and authority to negotiate and agree upon the terms of a union of the Provisional Government of the Hawaiian Islands and the Government of the United States of America, the original of which is inclosed herewith and marked Inclosure E.

The commissions of the said above-named gentlemen, as such special commissioners for the purpose aforesaid, are also inclosed herewith for inspection, and marked Inclosure F.

In further pursuance of such instructions, we also hereby request that a treaty may be concluded between the Government of the United States of America and the Provisional Government of the Hawaiian Islands, by the terms of which full and complete political union may be secured between the United States of America and the Hawaiian Islands, and for that purpose we hereby request that negotiations may be opened between the representatives of the Government of the United States of America and the said special commissioners on behalf of the Provisional Government.

In further pursuance of such instructions, we also herewith submit a copy of a protest made by her ex-majesty Queen Liliuokalani against the action of the said Provisional Government, which is marked Inclosure G.

We have the honor, etc.,

L. A. THURSTON,
W. C. WILDER,
WM. R. CASTLE,
J. MARSDEN,
CHARLES L. CARTER,

*Special Commissioners of the Provisional Government
of the Hawaiian Islands.*

[Inclosure A.]

REPORT OF THE COMMITTEE OF SAFETY.

To the citizens of Honolulu:

On the morning of last Saturday, the 14th instant, the city was startled by the information that Her Majesty, Queen Liliuokalani, had announced her intention to ar-

bitrarily promulgate a new constitution, and that three of the newly appointed cabinet ministers had, or were about to, resign in consequence thereof.

Immediately after the prorogation of the legislature, at noon, the Queen, accompanied by her orders by the cabinet retired to the palace; the entire military force of the Government was drawn up in line in front of the building, and remained there until dark, and a crowd of several hundred natives, sympathizers with the constitution project, gathered in the throne room and about the palace. The Queen then retired with the cabinet; informed them that she had a new constitution ready; that she intended to promulgate it and proposed to do so then and there, and demanded that they countersign her signature.

She turned a deaf ear to their statements and protests, that the proposed action would inevitably cause the streets of Honolulu to run red with blood, and threatened that unless they complied with her demand she would herself immediately go out upon the steps of the palace and announce to the assembled crowd that the reason she did not give them the new constitution was because the ministers would not let her. Three of the ministers, fearing mob violence, immediately withdrew and returned to the Government building. They were immediately summoned back to the palace but refused to go, on the ground that there was no guaranty of their personal safety.

The only forces under the control of the Government are the household guards and the police. The former are nominally under the control of the minister of foreign affairs, and actually under their immediate commander, Maj. Nowlein, a personal adherent of the Queen.

The police are under the control of Marshal Wilson, the open and avowed royal favorite. Although the marshal is nominally under the control of the attorney-general, Her Majesty recently announced in a public speech that she would not allow him to be removed. Although the marshal now states that he is opposed to the Queen's proposition, he also states that if the final issue arises between the Queen and the cabinet and the people he will support the Queen.

The cabinet was absolutely powerless and appealed to citizens for support.

Later they reluctantly returned to the palace, by request of the Queen, and for nearly two hours she endeavored to force them to acquiesce in her desire, and upon their final refusal announced in a public speech in the throne room and again from the upper gallery of the palace that she desired to issue the constitution but was prevented from doing so by her ministers and would issue it in a few days.

The citizens responded to the appeal of the cabinet to resist the revolutionary attempt of the Queen by gathering at the office of William O. Smith.

Later in the afternoon it was felt that bloodshed and riot were imminent; that the community could expect no protection from the legal authorities; that on the contrary they would undoubtedly be made the instruments of royal aggression. An impromptu meeting of citizens was held, which was attended by the attorney-general, and which was addressed, among others, by the minister of the interior, J. F. Calburn, who stated to the meeting substantially the foregoing facts.

The meeting unanimously passed a resolution that the public welfare required the appointment of a committee of public safety of thirteen, to consider the situation and devise ways and means for the maintenance of the public peace and the protection of life and property.

Such committee was forthwith appointed and has followed its instructions.

The first step which the committee consider necessary is to secure openly, publicly, and peaceably through the medium of a mass meeting of citizens a condemnation of the proceeding of the party of revolution and disorder and a confirmation from such larger meeting of the authority now vested in the committee.

For such purpose the committee hereby recommends the adoption of the following resolution:

RESOLUTION.

(1) Whereas Her Majesty Liliuokalani, acting in conjunction with certain other persons, has illegally and unconstitutionally, and against the advice and consent of the lawful executive officers of the Government, attempted to abrogate the existing constitution and proclaim a new one in subversion of the rights of the people;

(2) And whereas such attempt has been accompanied by threats of violence and bloodshed and a display of armed force; and such attempt and acts and threats are revolutionary and treasonable in character;

(3) And whereas Her Majesty's cabinet have informed her that such contemplated action was unlawful and would lead to bloodshed and riot, and have implored and demanded of her to desist from and renounce such proposed action;

(4) And whereas such advice has been in vain, and Her Majesty has in a public speech announced that she was desirous and ready to promulgate such constitution, the same being now ready for such purpose, and that the only reason why it was not

promulgated was because she had met with unexpected obstacles, and that a fitting opportunity in the future must be awaited for the consummation of such object, which would be within a few days;

(5) And whereas at a public meeting of citizens held in Honolulu on the 14th day of January instant a committee of thirteen to be known as the "Committee of Public Safety" was appointed to consider the situation and devise ways and means to consider the situation of the public peace and safety and the preservation of life and property;

(6) And whereas such committee has recommended the calling of this mass meeting of citizens to protest against and condemn such action, and has this day presented a report to such meeting denouncing the action of the Queen and her supporters as being unlawful, unwarranted, in derogation of the rights of the people, endangering the peace of the community, and tending to excite riot, and cause the loss of life and destruction of property.

Now, therefore, we, the citizens of Honolulu, of all nationalities, and regardless of political party affiliations, do hereby condemn and denounce the action of the Queen and her supporters.

And we do hereby ratify the appointment and indorse the action and report made by the said committee of safety, and we do hereby further empower such committee to further consider the situation, and further devise such ways and means as may be necessary to secure the permanent maintenance of law and order and the protection of life, liberty, and property in Hawaii.

[Inclosure B.]

BY AUTHORITY.

Her Majesty's ministers desire to express their appreciation for the quiet and order which has prevailed in this community since the events of Saturday, and are authorized to say that the position taken by Her Majesty in regard to the promulgation of a new constitution, was under stress of her native subjects.

Authority is given for the assurance that any changes desired in the fundamental law of the land will be sought only by methods provided in the constitution itself.

Her Majesty's ministers request all citizens to accept the assurance of Her Majesty in the same spirit which it is given.

LILIUKALANI,
SAMUEL PARKER,
Minister of Foreign Affairs.
W. H. CORNWELL,
Minister of Finance.
JOHN F. COLBURN,
Minister of the Interior.
A. P. PETERSON,
Attorney-General.

IOLANI PALACE, *January 16, 1893.*

[Inclosure C.]

[Proclamation of Provisional Government of the Hawaiian Islands, January 17, 1893. Printed *ante* as inclosure with Mr. Stevens's No. 79 of January 18, 1893.]

[Inclosure D.]

UNITED STATES LEGATION,
Honolulu, Hawaiian Islands, January 17, 1893.

A Provisional Government having been duly constituted in the place of the recent Government of Queen Liliukalani, and said Provisional Government being in full possession of the Government buildings, the archives, and the treasury, and in control of the capital of the Hawaiian Islands, I hereby recognize said Provisional Government as the *de facto* Government of the Hawaiian Islands.

JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

IMPERIAL GERMAN CONSULATE, HAWAIIAN ISLANDS,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to own receipt of your esteemed favor of yesterday's date, and hereby take much pleasure to recognize and acknowledge, on behalf of the Government of Germany, the present Government of the Hawaiian Islands, and that I shall do all in my power to further and support the same.

I have the honor to remain, gentlemen, your most obedient servant,

H. F. GLADE,
Imperial German Consul.

MESSRS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of the Provisional Government in Hawaii.

AUSTRO-HUNGARIAN CONSULATE, HAWAIIAN ISLANDS,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to own receipt of your esteemed favor of yesterday's date, and hereby take much pleasure to recognize and acknowledge, on behalf of the Austro-Hungarian Government, the present Government of the Hawaiian Islands, and that I shall do all in my power to further and support the same.

I have the honor to be, gentlemen, your most obedient servant,

H. F. GLADE,
Austro-Hungarian Consul.

MESSRS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of the Provisional Government in Hawaii.

HONOLULU, *January 18, 1893.*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, whereby you inform me that for reasons set forth the Hawaiian monarchy has been abrogated and a Provisional Government established, the same being now in possession of the Government departmental buildings, the archives, and the treasury, and whereby you request me to recognize the said Provisional Government on behalf of the Government of Italy as the existing *de facto* Government of the Hawaiian Islands and to afford to it the moral support of my Government.

In response I have the honor to say that I comply with the above request and recognize the said Provisional Government as far as my authority as consul for Italy may permit me to act for and on behalf of His Italian Majesty's Government in the premises.

I have the honor to be, gentlemen, your very obedient servant,

F. A. SCHAEFER,
Consul for Italy.

HON. SANFORD B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

VICE-CONSULATE OF RUSSIA,
Honolulu, January 18, 1893.

SIRS: I have the honor to acknowledge the receipt of your communication of 17th instant, and in reply beg to inform you that I take the pleasure to recognize the Provisional Government of Hawaii, as defined in the proclamation inclosed in your letter on behalf of the Government of Russia, and I shall afford to it my moral support as representative of the country last named.

I have the honor to be, sirs, your most obedient servant,

J. F. HACKFELD,
Acting Vice-Consul.

MESSRS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of the Provisional Government of Hawaii, Honolulu.

HONOLULU, January 18, 1893.

GENTLEMEN: I have the honor to own the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, informing me that for reasons set forth the Hawaiian monarchy has been abrogated and a provisional government established, and requesting me to recognize the said Provisional Government, on behalf of the Spanish Government, as the existing *de facto* Government of the Hawaiian Islands, and to afford to it the moral support of my Government.

In response I have the honor to say that I comply with the above request and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands within the scope of my authority.

I have the honor to be, gentlemen, your obedient servant,

H. RENJES,
Vice-Consul for Spain.

HONS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

KONGL. SWENSTA OCH WORSTA KONFULATET,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your excellencies' communication of January 17, informing me that the Hawaiian monarchy has been abrogated and that a provisional government has been established in Hawaii for reasons set forth in a proclamation, of which you sent me a copy; also that such provisional government has been proclaimed, is now in possession of the Government departmental buildings, the archives, and the treasury, and is in control of the city.

In reply to your request to recognize the Provisional Government and afford it the moral support of my Government, I beg to say that I do recognize it as the existing *de facto* Government of the Hawaiian Islands, and that I shall report to my Government immediately.

Your excellencies' most obedient servant,

H. W. SCHMIDT,
Consul.

CONSULATE OF THE NETHERLANDS,
Honolulu, January 18, 1893.

SIR: I have the honor to acknowledge the receipt of the communication of the executive council of the Provisional Government of the Hawaiian Islands, announcing the abrogation of the Hawaiian monarchy; of your possession of the Government departmental buildings, the archives, and the treasury, as well as being in control of the city.

Added to the above is your request for the official recognition of the existing *de facto* Government of the Hawaiian Islands on behalf of the Kingdom of the Netherlands, which I have the honor to represent, and to give you the moral support of my Government.

In reply I take pleasure in assuring the gentlemen of the executive council that I cordially extend to them full assent to their claim for recognition, and of my intention to add such moral support as may come within the scope of my consular authority.

I have the honor to be, gentlemen, your very obedient servant,

JOHN H. PATY,
Consul for The Netherlands.

MESSRS. S. B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council, Hawaiian Provisional Government, etc.

ROYAL DANISH CONSULATE,
Honolulu, January 18, 1893.

SIRS: I have the honor to acknowledge the receipt of your communication of yesterday's date, inclosing a copy of proclamation issued last evening, informing me that for reasons set forth in said proclamation the Hawaiian monarchy has been abrogated and a provisional government established, which is now in possession of the Government departmental buildings, the archives, and the treasury, and request-

ing me, on behalf of the Government of Denmark, to recognize said Provisional Government as the *de facto* Government of the Hawaiian Islands, and to accord to it the moral support of my Government.

In reply I have the honor to state that I hereby comply with the above request, recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands, to the extent that my authority will allow me to act, pending a reply from my Government.

I have the honor to be, sirs, yours, most obediently,

E. C. MACFARLANE,
Acting Vice-Consul for Denmark.

MESSRS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of Provisional Government of the Hawaiian Islands.

CONSULATE OF BELGIUM, *January 18, 1893.*

SIRS: I have the honor to acknowledge the receipt of your communication of the 17th instant, and in reply beg to inform you that I take pleasure to recognize the Provisional Government of Hawaii, as defined in the proclamation inclosed in your letter, in behalf of the Government of Belgium, and I shall afford to it my moral support as representative of the country last named.

I have the honor to be, sirs, your most obedient servant,

J. F. HACKFELD,
Consul.

MESSRS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of the Provisional Government of Hawaii, Honolulu.

HONOLULU, HAWAIIAN ISLANDS, *January 18, 1893.*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, informing me that for reasons set forth the Hawaiian monarchy has been abrogated and a provisional government established, and requesting me to recognize the said Provisional Government on behalf of the Mexican Government as the existing *de facto* Government of the Hawaiian Islands, and to afford to it the moral support of my Government.

In answer I have the honor to state that I comply with the above request and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands, within the scope of my authority.

I have the honor to be, gentlemen, your obedient servant,

H. RENJES,
Consul for Mexico.

HONS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

CONSULATE OF CHILE,
Honolulu, Hawaiian Islands, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, whereby I am informed that for reasons set forth the Hawaiian monarchy has been abrogated and a Provisional Government established, the same being now in possession of the Government departmental buildings, the archives, and the treasury, and whereby you request me to recognize the said Provisional Government as the existing *de facto* Government on behalf of the Government of Chile and afford to it the moral support of my Government.

In response I have the honor to say that I comply with the above request and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands so far as my authority as consul of Chile may permit me to act for and on behalf of the Government of the Republic of Chile in the premises.

I have the honor to be, gentlemen, your obedient servant,

H. A. SCHAEFER,
Consul for Chile.

HONS. SANFORD B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

OFFICE OF THE PERUVIAN CONSULATE,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your valued communication of the 17th instant, inclosing a copy of the proclamation then issued, wherein it is set forth that the Hawaiian monarchy has been abrogated and a Provisional Government established.

You request me to recognize said Government, on the behalf of the Government of Peru, as the existing *de facto* Government of the Hawaiian Islands, and to afford it the moral support of my Government.

I have the honor to state in reply that I take pleasure in complying with your request, and I hereby recognize the said Government as the *de facto* Government of the Hawaiian Islands in so far as my authority in the premises will permit.

I have the honor to remain, gentlemen, your most obedient servant,
BRUCE CARTWRIGHT,
Consul for Peru.

Hons. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Members of the Executive Council of the Provisional Government
of the Hawaiian Islands.

CHINESE COMMERCIAL AGENCY,
Honolulu, January 19, 1893.

GENTLEMEN: We have the honor to acknowledge the receipt of your circular letter of the 17th instant, covering a copy of the proclamation issued yesterday whereby you inform us that the Hawaiian monarchy has been abrogated and a Provisional Government established, the latter being now in possession of the Government departmental buildings, the archives, and the treasury, and whereby you request us to recognize the said Provisional Government on behalf of the Government of the Empire of China as the existing *de facto* Government of the Hawaiian Islands, and to afford to it the moral support of our Government.

In answer we have the honor to say that we comply with your request and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands so far as our authority as commercial agents of China may allow us to act for and on behalf of His Imperial Majesty's Government in this matter.

We have the honor to be, gentlemen, your most obedient servants,
GOO KIM,
Chinese Commercial Agent.
WONG KWAI,
Assistant Chinese Commercial Agent.

Hons. SANFORD B. DOLE, J. A. KING, P. C. JONES, and WILLIAM O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

[Inclosure E.]

[Credential letters of the Hawaiian Commissioners. Printed *post* as paper No. 12.]

[Inclosure F.]

[Commissions of the Hawaiian commissioners. Printed *post* as paper No. 13.]

[Inclosure G.]

PROTEST OF QUEEN LILIUOKALANI.

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

That I yield to the superior force of the United States of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu and declared that he would support the said Provisional Government.

Now, to avoid any collision of armed forces, and perhaps the loss of life, I do under this protest and impelled by said force yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me in the authority which I claim as the constitutional sovereign of the Hawaiian Islands.

Done at Honolulu the 17th day of January A. D., 1893.

LILIUOKALANI R.
SAMUEL PARKER,
Minister of Foreign Affairs.
WM. H. CROMWELL,
Minister of Finance.
JNO. F. COLBURN,
Minister of the Interior.
A. P. PETERSON,
Attorney-General.

S. B. DOLE, esq., and others,
Composing the Provisional Government of the Hawaiian Islands.

(Indorsed:) Received by the hands of the late cabinet this 17th day of January, A. D. 1893. Sanford B. Dole, chairman of executive council of Provisional Government.

No. 12.

Credential letters of the Hawaiian Commissioners, exhibited to the Secretary of State February 4, 1893.

Sanford B. Dole, president of the executive and advisory councils of the Provisional Government of the Hawaiian Islands, to His Excellency Benjamin Harrison, President of the United States of America.

GREAT AND GOOD FRIEND: Reposing special trust in the wisdom, integrity, and ability of the Hon. Lorrin A. Thurston, one of our distinguished citizens, we have appointed and do hereby constitute and appoint him to be a *Special Commissioner* of the Provisional Government of the Hawaiian Islands, with full power and authority to confer with your excellency, or your successors in office, or with any properly constituted and appointed persons and authorities of the United States Government, to negotiate and agree upon the terms of a union of the Provisional Government of the Hawaiian Islands and the Government of the United States of America, or to negotiate the terms upon which such union may be made.

He is well informed of the relative interests of the two countries, and of our earnest desire to further strengthen and cement the bonds that now exist between us, and from a knowledge of his fidelity, probity, and good conduct, we have entire confidence that he will render himself acceptable to your excellency and to the authorities of the United States Government by his constant endeavors to advance measures for the mutual benefit of both countries.

We therefore desire that your excellency will receive him favorably, and give full credence to what he may say as the "Commissioner of the Provisional Government of the Hawaiian Islands," and, most of all, when he shall assure your excellency of the earnest wish and desire of our Provisional Government for closer and more intimate relations than those now existing and of our abiding faith in the continued friendship of the great nation over which your excellency so ably presides.

We pray God to have your excellency ever in His safe and holy keeping.

Written at the Government house, at Honolulu, this eighteenth day of January, in the year of our Lord eighteen hundred and ninety-three.

SANFORD B. DOLE,
*President of the Executive and Advisory Councils of the
Provisional Government of the Hawaiian Islands.*

By the President:

J. A. KING,
Minister of the Interior,
P. C. JONES,
Minister of Finance,
WILLIAM O. SMITH,
Attorney-General,
*Executive Council of the Provisional Government
of the Hawaiian Islands.*

(Similar letters of credence were delivered by the other Commissioners, Messrs. W. C. Wilder, William R. Castle, C. L. Carter, and Joseph Marsden.)

No. 13.

Commissions of the Hawaiian special commissioners, exhibited to the Secretary of State February 3, 1893.

Sanford B. Dole, president of the executive and advisory councils of the Provisional Government of the Hawaiian Islands, to Hon. Lorrin A. Thurston, greeting:

Know ye, that we, the executive council of the Provisional Government, reposing special trust and confidence in your wisdom, integrity, and fidelity, have constituted and appointed you, and do by these presents hereby constitute and appoint you a special commissioner to the President of the United States to negotiate with him, or another or others who may be appointed by him, certain matters detailed to you in your letter of instructions issued to you by said council, and to faithfully discharge and perform all the duties pertaining to said office under said instructions; and all persons are hereby commanded to respect this, your authority.

In witness whereof we have hereunto set our hands and the seal of the Provisional Government of the Hawaiian Islands, in Honolulu, this eighteenth day of January, one thousand eight hundred and ninety-three.

[SEAL.]

SANFORD B. DOLE,
President.

By the President:

J. A. KING,
Minister of the Interior,
P. C. JONES,
Minister of Finance,
WILLIAM O. SMITH,
Attorney-General,
*Executive Council of the Provisional
Government of the Hawaiian Islands.*

(The text of the commissions of Messrs. Castle, Wilder, Carter, and Marsden read the same, *mutatio nominis*.)

No. 14.

The Hawaiian special commissioners to Mr. Foster.

WASHINGTON, D. C., February 4, 1893. (Received February 4.)

SIR: In accordance with the statement this day made by you to us that, by order of the President, you had confirmed the recognition of the Provisional Government of the Hawaiian Islands already extended to such Provisional Government by his excellency John L. Stevens, envoy extraordinary and minister plenipotentiary of the United States of America at Hawaii; and in accordance with your further statement, then made, that you accepted the credentials presented by us as special commissioners from the said Provisional Government to the Government of the United States of America for the purpose of negotiating a treaty between the said two governments by the terms of which full and complete political union may be secured between the United States of America and the Hawaiian Islands, and that you are now prepared to receive from us as such commissioners proposals in connection with the formation of such treaty for your consideration, we have the honor to state that, although we are invested by our Government with full discretionary power as to the terms of such treaty, subject to its final ratification, it is the desire of our Government that certain terms and conditions shall be incorporated in such treaty, and we hereby submit to you a general outline of such terms and conditions, viz:

(1) That such treaty may secure full, complete, and perpetual political union between the United States of America and the Hawaiian Islands.

(2) That the form of local government to be established in the Hawaiian Islands shall be substantially the form now existing in Territories of the United States, with such modifications, restrictions, and changes therein as the exigencies of the existing circumstances may require and as may be hereafter agreed upon.

(3) That all appointments to office in the Hawaiian Islands shall be made from among persons who have lived in said islands for a term of not less than five years.

(4) That the payment of the Hawaiian national debt, including the amounts due by the Government to depositors in the Hawaiian Postal Savings Bank shall be assumed by the Government of the United States of America.

(5) That the lands located at the said Hawaiian Islands heretofore known as government lands and crown lands and all other government property, and all the proceeds thereof and receipts therefrom shall continue to be the property of the local government of the said islands, under whatever form it may be established, and all the proceeds thereof devoted to the purposes and uses of such local government.

(6) That within a given period, say one year, or such other period as may be mutually agreed upon, the Government of the United States of America shall lay and thereafter maintain a telegraphic cable between the Pacific coast of the said United States of America and the Hawaiian Islands.

(7) That the United States Government shall, so soon as is reasonably practicable, open the entrance to Pearl Harbor and establish a coaling and naval station adjacent thereto.

(8) That articles, the produce or manufacture of the Hawaiian Islands, shall in all respects be treated and considered as products of the United States.

(9) That the United States laws now or hereafter to be enforced in the United States of America shall not be taken to prohibit at any time the introduction into the Hawaiian Islands of laborers who may be introduced exclusively for the purpose of agricultural labor and domestic service, and who by appropriate legislation shall be confined to such employment and to the Hawaiian Islands.

(10) That contracts for labor under the Hawaiian labor-contract laws now existing, or which shall be entered into prior to the promulgation of notice of the final ratification of such treaty, shall not be abrogated, but shall continue in force to the end of the several terms thereof. That with the exception of such labor contracts no labor contracts shall hereafter be penally enforceable.

(11) That all laws and the system of criminal and civil jurisprudence in force at the Hawaiian Islands at the date of the ratification of such treaty, which are not specifically abrogated or modified by the terms of such treaty, or which are not inconsistent with the Constitution of the United States, shall remain in force until the same are regularly repealed by the appropriate authority.

(12) That appropriate financial provision be made for the support of the ex-Queen Liliuokalani and the ex-heir presumptive Kaiuloni as long as they shall in good faith submit to the authority and abide by the laws of the government established by virtue of this treaty.

We have, etc.,

L. A. THURSTON,
W. C. WILDER,
J. MARSDEN,
WM. R. CASTLE,
CHARLES L. CARTER,

*Special Commissioners of the Provisional Government
of the Hawaiian Islands.*

No. 15.

*The Commissioners of the Hawaiian Provisional Government to Mr.
Foster.*

WASHINGTON, D. C., February 11, 1893. (Rec'd Feb. 11.)

SIR: The ex-Queen of Hawaii, Liliuokalani, having sent to the President of the United States a protest against the action of the Hawaiian Provisional Government, we beg to make a brief reply to the statements contained in such protest.

The protest sets forth as the two main grounds of complaint the fact that certain of her subjects had revolted against her, aided by United States troops, and, secondly, that the Provisional Government had chartered the only available steamer at Honolulu, upon which they had sent commissioners to Washington and had refused to allow a representative from the Queen to come forward by the same steamer.

Before replying to these two statements we call attention to the fact that the protest entirely suppresses the fact that the Queen herself had been guilty of an illegal act; that she had herself initiated violence, and that the action taken by the subjects who had, as she says, revolted against her was in resistance to her own attempted subversion of the constitution and laws of the land. As the fact that she did make such

an attempt with threats against her legal advisers, and with a show and preparation, is not denied by the Queen or anyone on her behalf, we submit that the omission of any reference to such undoubted facts, so radically essential to a proper understanding of the matter, properly tends to throw discredit upon the Queen's statements.

In reply to the charge that United States troops assisted in the overthrow of the monarchy, we deny the statement most emphatically.

A brief recital of the facts, without argument on our part, is amply sufficient to show the incorrectness of the charge made.

Such facts are briefly these:

First. At the time of the initiation of the trouble by the attempt of the Queen to submit the constitution and promulgate a new one, the American minister and the American ship-of-war *Boston* were both absent from Honolulu and had been for ten days previously thereto.

Second. The first exhibition of force was made by the Queen on Saturday, the 14th of January, by the public parading of the entire military force, armed with repeating rifles and carrying a full supply of ball cartridges. The members of the police department were also armed. In addition thereto there were located at the palace and barracks and the police station an additional body of armed men to the number of 540 according to their own statement. This additional body of armed men was not authorized by law and was assembled contrary to a specific law of the Kingdom.

Third. The first call to arms in opposition to the Queen was issued by the cabinet on the afternoon of January 14.

Fourth. Although on Saturday, the 14th, Sunday, the 15th, and Monday, the 16th, the most intense feelings of hostility were publicly manifested between the adherents of the Queen on the one hand and the promoters of the movement for the establishment of a Provisional Government on the other, with every indication of an armed conflict which might be precipitated at any moment, it was not until 5 o'clock on Monday afternoon, the 16th of January, after the request had been made to the American minister by many American citizens, that the United States troops were landed.

Fifth. Upon landing, a guard was posted at the American consulate and legation, and the remainder of the troops were quartered that night in a public hall hired for that purpose. Up to the time the commissioners left Honolulu at 9 o'clock on the morning of the 19th of January, all of the American troops had remained upon the premises where they were respectively located. No demonstration was made by the troops in any manner whatever. The uniform of the United States was not seen upon the streets, except upon the persons of the individual officers passing between the points at which troops were located in the execution of their own business.

Sixth. At the time the Provisional Government took possession of the Government buildings, no American troops or officers were present or took part in such proceedings in any manner whatever. No public recognition was accorded the Provisional Government by the American minister until they were in possession of the Government buildings, the archives, and the treasury, supported by several hundred armed men, and after the abdication by the Queen and the surrender to the Provisional Government of her forces.

It is submitted that the foregoing statement of facts amply meets the charge made by the Queen that American troops coerced her action in abdication.

In reply to the second statement of the Queen, that the Provisional

Government took the only vessel available to go to San Francisco and refused to allow her representative to come to San Francisco thereon, we beg to state that the charge is entirely incorrect.

As a matter of fact, the Inter Island fleet of steamers consists of twenty vessels, all of which, with two exceptions, were built abroad and navigated to the islands. Of such vessels at least ten are as fully capable of making the trip to San Francisco as was the vessel chartered and dispatched by the Provisional Government.

As the Provisional Government had allowed a mail to be sent by the chartered steamer, they did not consider that there was any reason for financially assisting the Queen in forwarding to Washington an agent hostile to the Government and its objects. So far as is known to the commissioners, there is no reason why the Queen should not have chartered a steamer at Honolulu and forwarded an agent to San Francisco thereon if she had desired so to do. Certainly there was nothing done by the Provisional Government to prevent her doing so.

With assurances of the highest consideration, etc.,

L. A. THURSTON,
W. C. WILDER,
WM. N. CASTLE,
J. MARSDEN,
CHARLES L. CARTER,

Commissioners of the Hawaiian Provisional Government.

No. 16.

Mr. Carter to Mr. Foster.

WASHINGTON, D. C.,

February 11, 1893. (Received February 11, 1893.)

SIR: In response to your request for information on the subjects of the resources of the ex-Queen and the Princess Kaulani, the public lands, and the islands and dependencies of the Hawaiians, the inclosed statements have been prepared from such sources of information as were available to the commission, and are submitted for the use of your Department.

With assurance of esteem, I am, etc.,

CHARLES L. CARTER.

[Inclosure 1.]

RESOURCES OF THE QUEEN AND PRINCESS KAIULANI.

The Queen.—The private resources of the ex-Queen are not definitely known, further than that she has some valuable lands, productive and unproductive, and that she was the sole devisee of her late husband, John O. Dominis, whose estate was appraised at \$20,000 in the probate court; probably her private income is in the neighborhood, per annum, of..... \$5,000

The public supplies for the sovereign for the current biennial period ending March, 1894, were as follows:

Her Majesty's privy purse	33,332
Her Majesty's household expenses	10,000
State entertainments	4,000

The Crown lands.—The agent of the commissioners of Crown lands informed Mr. Carter a few weeks ago that the net revenue was between \$55,000 and \$60,000; gross revenue, estimated..... \$60,000
No accounts are kept available to the public.

The ex-Queen was born on the 2d day of September, 1838, and is now in her fifty-fourth year.

The Princess Kaiulani (born October 16, 1875, and now in her eighteenth year).—The accounts of the guardian of this lady, filed annually in the probate court, to the best recollection of the commissioners, show an annual income from private sources of..... 4,000

The public supplies appropriated for the current biennial period were:

Direct allowance..... 10,000
Traveling expenses..... 4,000

[Inclosure 2.]

STATEMENT OF PUBLIC LANDS.

Crown lands.—These lands are those set apart for the maintenance of the royal state of Hawaiian sovereigns. They have been the subject of legislation from time to time. Three commissioners are empowered to lease them for terms not to exceed thirty years. The net revenue is paid to the sovereign.

These lands are situated on all of the main islands and comprise some of the finest tracts in the country. Total area, 876,000 acres. (See Report Minister of the Interior, 1890, p. 293.)

Government lands.—These lands were set apart to assist in defraying the expense of maintaining organized government. They have been in the care of the minister of the interior, subject to sale or lease at his discretion, with checks providing for publicity, due notice of disposal, etc. Total area, 875,500 acres.

School lands.—These were set apart for industrial purposes, and were for the greater part supplanted by Government bonds, as set forth in note to statement of public debt. There remain about 200 school sites of from one-fourth of an acre to 5 acres, and two tracts of about 2,000 acres.

[Inclosure 3.]

The Hawaiian Islands and dependencies.

Name.	Area.	Population, 1890.
Hawaii.....	4,210	26,754
Maui.....	760	17,357
Oahu.....	600	31,194
Kauai.....	590	11,643
Molokai.....	270	2,632
Lanai.....	150	174
Niihau.....	97	216
Kahooolawe.....	63	Nominal.
Nihoa or Bird Island.....	Not surveyed.	Do.
Johnsons or Cornwallis.....	do	Do.
Neckers.....	do	Do.
French Frigate Shoals.....	do	Do.
Brothers Reef.....	do	Do.
Garden Island.....	do	Do.
Allens Reef.....	do	Do.
Laysans Island.....	do	Do.
Lisiansky Island.....	do	Do.
Philadelphia or Bunkers.....	do	Do.
Pearl or Hermes Reef.....	do	Do.
Middle Island (Midway or Brooks Island).....	do	Do.
Ocean Island.....	do	Do.
Palmyra Island.....	do	Do.

And all outlying and adjoining reefs, atolls, islets, and unnamed islands.

No. 17.

*Mr. Tracy to Mr. Foster.*NAVY DEPARTMENT,
Washington, February 11, 1893. (Received February 11.)

SIR: I have the honor to transmit for your information a copy of a translation of a cipher dispatch received this date from the commanding officer of the U. S. S. *Boston*, at Honolulu, Hawaii.

Very respectfully,

B. F. TRACY,
Secretary of the Navy.

[Inclosure—telegram.]

*Mr. Wiltse to Mr. Tracy.*HONOLULU, *February 1, 1893.* (San Francisco, Cal., February 10.)

Capt. Wiltse reports that no change has occurred in the situation and that until the Government of Hawaii expresses a desire to have the forces withdrawn, and the minister approves such desire a battalion will be kept ashore for the protection of the lives and property of citizens of the United States in the island; he reports the progress of the Hawaiian Government which is daily gaining ground and has organized forces; he announces that the minister plenipotentiary of the United States placed the Government of Hawaii under the protection of the United States, during negotiations not interfering with the execution of public affairs, on this day at 9 a. m. in accordance with the request of the Provisional Government of Hawaii, and says that he has sent telegrams of the minister to the Secretary of State.

No. 18.

*Mr. Foster to Mr. Stevens.*DEPARTMENT OF STATE,
Washington, February 11, 1893.

SIR: Your cipher telegram, dated the 1st instant, and transmitted through the Navy Department's good offices, was received here at 4:30 p. m. on the 9th instant.

You therein make the following important statement:

To-day, at 9 a. m., in accordance with the request of the Provisional Government of Hawaii, I have placed government of Hawaii under the United States protection during negotiations, not interfering with the execution of public affairs.

The precise character and scope of the act thus announced by you do not appear from this brief recital. The press, however, prints full details of the occurrences of the 1st instant, as telegraphed from San Francisco on the arrival of the mail steamer *Australia* at that port on the morning of the 9th, and I therein find what purports, with appearance of general correctness, to be the text of a proclamation issued by you on the 1st instant, which reads as follows:

By authority to the Hawaiian people:

At the request of the Provisional Government of the Hawaiian Islands, I hereby, in the name of the United States of America, assume protection of the Hawaiian Islands for the protection of life and property, and occupation of the public buildings

and Hawaiian soil, so far as may be necessary for the purpose specified, but not interfering with the administration of public affairs by the Provisional Government. This action is taken pending and subject to negotiations at Washington.

JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

UNITED STATES LEGATION, *February 1, 1893.*

Approved and executed by C. C. Wiltse, captain, U. S. Navy, commanding U. S. S. *Boston*.

The manner and degree of the execution of your proclamation by the naval force are not related with particularity in a brief telegraphic report just received from Capt. Wiltse. He merely says:

To-day at 9 a. m. in accordance with request of Provisional Government of Hawaii, the United States minister plenipotentiary placed the Government of Hawaii under United States protection, during negotiations, not interfering with the execution of public affairs.

It appears from the press reports that the ceremonial for the execution of your orders consisted in the landing of a battalion from the *Boston*, its formation at the Government building in concert with three volunteer companies of the Provisional Government, the reading of your proclamation by Lieut. Rush, and the hoisting of the United States flag over the Government building. The Hawaiian flag on other public buildings in Honolulu is stated not to have been disturbed.

The phraseology of your proclamation in announcing your action in assumption of protection of the Hawaiian Islands in the name of the United States would appear to be tantamount to the assumption of a protectorate over those islands in behalf of the United States with all the rights and obligations which the term implies. To this extent it goes beyond the necessities of the situation and the instructions heretofore given you.

Your existing instructions, and those under which the commanders of naval vessels of the United States acted, were and are ample to provide all legitimate material protection in case of need, either in your discretion or at the request of the duly constituted authorities of the Hawaiian Islands, for the lives and property of American citizens endangered or menaced, or for the prevention of lawless and tumultuous acts of disturbance of the public peace and safety. The accordance of such measures of protection, or the unsolicited taking of the needful precautions to those ends is, however, not to be confounded with the establishment of a protectorate, which is in fact the positive erection of a paramount authority over or in place of the duly constituted local government, and the assumption, by the protector, of the especial responsibilities attached to such formal protection.

It is not thought probable that the Provisional Government of the Hawaiian Islands, in soliciting protection, contemplated more than the coöperation of the moral and material forces of the United States to strengthen its own authority and power, as a recognized sovereign Government, for the protection of life and property, as stated in your proclamation. Such a decree of protection you were, as I have said, already fully competent to accord, or to exercise in your discretion, in case of need.

Your proclamation expresses no reservation as to confirmation of your action by the Government of the United States. Its provisos are, that the assumed function of protection is to be exercised so far as may be necessary for the specified purpose of protecting life and property, without interference with the administration of public affairs by the Provisional Government, and that the action in question "is taken pending

and subject to negotiations at Washington." These qualifications are entirely in the line of my views of the scope and intent of the request made to you by the Provisional Government of the Hawaiian Islands. The omission of reference to the necessary sanction of the Government of the United States is immaterial, for its function of revision and confirmation or disavowal of the acts of its agents is inherent and exercisable at its discretion..

So far, therefore, as your action amounts to according, at the request of the *de facto* sovereign Government of the Hawaiian Islands, the co-operation of the moral and material forces of the United States for the protection of life and property from apprehended disorders, your action is commended. But so far as it may appear to overstep that limit by setting the authority and power of the United States above that of the Government of the Hawaiian Islands, in the capacity of protector, or to impair in anyway the independent sovereignty of the Hawaiian Government by substituting the flag and power of the United States as the symbol and manifestation of paramount authority, it is disavowed.

Instructions will be sent to the commanding officers of the United States naval forces in the Hawaiian Islands confirming and renewing the instructions heretofore given them under which they are authorized and directed to coöperate with you for the preservation of American life and property, and the maintenance of good order in case of need. Your own instructions in the same sense are continued.

You are accordingly authorized, upon the receipt of these instructions, to arrange with the commanding naval officer for the continued presence on shore of such marine force as may be practicable and requisite for the security of the lives and property interests of citizens of the United States, and the repression of lawlessness and public disturbance threatening them, whenever in your judgment it shall be necessary so to do, or when such coöperative measures may be sought for good cause by the Government of the Hawaiian Islands; being, however, always careful to make due discrimination between those functions of voluntary or accorded protection and the assumption of a protectorate over the Hawaiian Islands by the United States. No step should be taken by you, or will be sanctioned by this Government, which might tend to derogate in anyway from the independence of the Government of the Hawaiian Islands, which the United States have recognized as sovereign and with which they treat on terms of sovereign equality.

A telegraphic instruction briefly outlining the substance of this dispatch, will be sent to you, by way of San Francisco, by the mail steamer sailing from that port on the 15th instant.

I am, sir, etc.,

JOHN W. FOSTER.

No. 19.

Mr. Stevens to Mr. Foster.

No. 82.]

UNITED STATES LEGATION,
Honolulu, February 1, 1893. (Received February 14, 5 p. m.)

SIR: Everything is moving on here quietly. The Provisional Government is discharging its responsibilities with firmness, discretion,

and in the spirit of conciliation and magnanimity. The annexation sentiment has constantly increased since the departure of the Commissioners for Washington, and with healthful earnestness is taking possession of all classes. Nearly all the Germans, the larger proportion of the respectable and responsible English, and almost the entire Portuguese population are warmly for annexation. This inclination of the Portuguese is quite important, for they number seven or eight thousand, and are among the most industrious and saving.

As to terms of annexation I still adhere firmly to the opinion expressed in my dispatch 74, that the sugar bounty to be paid to the Hawaiian sugar planters should be limited to 6 mills per pound, \$12 per ton, so long and only so long as the United States bounty system shall be maintained. To the objection that this allows only \$12 per ton on Hawaiian sugar, while the Hawaiian planters get twice the amount per acre that the Louisiana planters do, on the average, and as I said in my dispatch 74, the consensus of opinion among the leading planters here, obtained by me five or six months since, was and is that \$12 per ton bounty will place all the Hawaiian plantations worth maintaining on the road of financial safety and success.

As to the form of government for the islands I now only vary from views expressed in my 74 as to incline strongly to the opinion that the beginning should be substantially like that of President Jefferson and Congress in respect of Louisiana, in the act of 1804 (page 283, United States Statutes at Large), only differing from that by providing in addition to governor, attorney-general, a commissioner of finance, and commissioner of the interior, and a legislative council of thirteen or fourteen, all to be appointed by the President, unless it should be deemed best for the governor to appoint attorney-general and the commissioners of finance and of the interior, who would be practically a cabinet of three to aid the governor to carry on the government. This plan and method of government could be maintained as a transition government until experience should prove it best to change to a more popular form.

In the meantime the responsible voters would rapidly increase, and American ideas and interests would gain in force and volume. My private consultation with the Provisional Government since the departure of the commissioners for Washington has led us to think highly of the Jefferson act of 1804 for Louisiana as a transition expedient for Hawaii. This would cause no shock, and would allow affairs to move along on safe and conservative lines until time and experience demand something better. It would be fortunate to have such a man as Sanford B. Dole, the present head of the Provisional Government, the first American governor of Hawaii.

As to liquidation of all political claims of the fallen Queen and the crown princess, may I be allowed to suggest that the spirit and import of the March treaty plan of 1854 had better be adopted, which authorized the expenditure of \$100,000 for like purposes. I therefore suggest, that if a liquidation of this kind be now under consideration and \$150,000 should be allowed as the total sum for this purpose, \$70,000 should go to the fallen Queen, Liliuokalani, and \$70,000 to the crown princess, Kaiulani, and \$5,000 to each of the two young princes. The last named, the two princes, are harmless young persons, of little account, not chiefs by blood, but they were made princes by the late King Kalakaua, without any constitutional right or power to do so, the then boys being nephews of his wife, Kapiolani. Should the entire sum

granted for these purposes be greater or less than \$150,000 I advise that the above specified proportions be maintained.

As to the native Hawaiians and their native leaders at this time, things are tending favorably toward annexation. Mr. Kauhane, for many years a member of the legislature, and regarded, for many years, the best native in the islands in public life, a noble in the recent session of that body, is earnest for annexation. So is Mr. Kauhi, a member of the legislature, from this island. Hon. John W. Kalua, the ablest native lawyer in the islands, years a member of former legislatures, from the important island of Maui, thinks the fall of the Queen and the extinction of the monarchy a boon to Hawaii, and he is for annexation. Robert W. Wilcox, the half-white native, who led the Hawaiian revolt in 1889, which came so near being successful, is now for annexation. He was educated in Italy, at a military school, is 37 years of age, his father being a citizen of Rhode Island, and, it is said, is still living in that State. This Wilcox has more fighting ability than any other native Hawaiian, and will be proud to become an American citizen, and at a future time to serve in the Army or civil service of the United States.

The ablest of the native Hawaiian Christian ministers are strong in their American sympathies. The pastor of the large native Hawaiian church in this city, a native Hawaiian, is for annexation earnestly. The other large Hawaiian congregation and church in Honolulu has a favorite pastor, born here of American parentage, whose quiet influence is in the same direction. The native newspaper of much the largest circulation in the islands advocates annexation, stands by the Provisional Government, and is losing none of its circulation. The main part of the opponents of annexation are the lower class of natives, led by unscrupulous foreigners, of little property, mostly from California, Australia, and Canada, who wish to maintain the Hawaiian monarchy and its corruptions for their own unworthy purposes, and who think their opportunities for power and spoliation will be gone if annexation becomes a fact.

The Hawaiian pear is now fully ripe, and this is the golden hour for the United States to pluck it. If annexation does not take place promptly, or is held in doubt and suspense for six or ten months, there certainly will be here a revulsion to despair, and these people, by their necessities, might be forced toward becoming a British colony, for the English here of the monarchical type would then avail themselves of their opportunity and stir up all possible opposition to annexation. The wealthiest Englishman of these islands has to-day called at this legation, and no man in Hawaii is more earnest for annexation. His two sons, large business men, are with him in this regard, and the next wealthy old British resident, a Scotchman by birth, is with the first man named for annexation. I can not otherwise than urge prompt action at Washington.

I am, sir, etc.,

JOHN L. STEVENS.

No. 20.

Mr. Stevens to Mr. Foster.

No. 84.]

UNITED STATES LEGATION,

Honolulu, February 1, 1893. (Received February 14, 5 p. m.)

SIR: To-day the undersigned and Capt. Wiltse of the *Boston* are compelled to assume a grave responsibility. The inclosed copies of official notes will explain the reasons which have led to this action on our part.

I have time before the departure of the mail steamer only to state briefly the additional reasons which caused us to assume temporary protectorate of these islands. The Provisional Government must have time to organize a new police and to discipline a small military force. When the monarchy died by its own hand, there was no military force in the islands but the royal guard of about 75 natives, not in effective force equal to 20 American soldiers. These were promptly discharged by the Provisional Government, except 16 left as the guard of the fallen Queen at her house.

The white men here, as well as the natives, have not been much accustomed to the use of arms. There are scarcely any men familiar with military discipline. Companies are now being organized and drilled. They must have a few weeks for drill. Only a small force of a few hundred will be required, but these must be disciplined men. So far the Provisional Government has been sustained by the uprising and union of the business men and best citizens. Bankers, merchants, clerks, professional men, respectable mechanics have stood manfully by the new Government and kept guard by night. This kind of defense must give place to a small, reliable military force. Time is the necessity of the new Government. There are 40,000 Chinese and Japanese on the islands, and evil-disposed persons might stir some of them to disorder. But the chief elements of evil are in Honolulu, where are the renegade whites at the head of the lottery and opium rings, and a considerable number of hoodlum foreigners and the more vicious of the natives.

Another important reason for our action is the possibility of the arrival here of a British war vessel, and that the English minister here, thus aided, might try to press unduly the Provisional Government. With the islands under our protection we think the English minister will not attempt to insist that his Government has the right to interfere while our flag is over the Government building. This is all I have time to write before the departure of the mail. We shall continue to maintain our present position with great caution and firmness until we hear from the President through the Secretary of State. As a necessary precaution against all contingencies, I advise that Admiral Skerrett be promptly sent here with one or two ships in addition to the *Boston*.

I am, sir, etc.,

JOHN L. STEVENS.

(One or two of the preceding numbers of the dispatches by this mail were written prior to this date, but they were dated February 1 because this is the day of the steamer's departure.)

S. Ex. 76—4

[Inclosure 1.]

*Mr. Stevens to Capt. Wiltse.*UNITED STATES LEGATION,
Honolulu, February 1, 1893.

SIR: The Provisional Government of the Hawaiian Islands having duly and officially expressed, to the undersigned, the fear that said Government may be unable to protect life and property and to prevent civil disorder in Honolulu, the capital of said Hawaiian Islands, request that the flag of the United States may be raised for the protection of the Hawaiian Islands, and to that end confer on the United States, through the undersigned, freedom of occupation of the public buildings of the Hawaiian Government and the soil of the Hawaiian Islands, so far as may be necessary for the exercise of such protection, but not interfering with the administration of the public affairs by said provisional government.

I hereby ask you to comply with the terms and spirit of the request of the Hawaiian Provisional Government, and to that end to use all the force at your command, in the exercise of your best judgment and discretion, you and myself awaiting instructions from the United States Government at Washington.

I am, sir, etc.,

JOHN L. STEVENS,

Envoy Extraordinary and Minister Plenipotentiary of the United States.

Capt. G. C. WILTSE,
Commander of the U. S. Ship Boston.

[Inclosure 2.]

The Hawaiian Provisional Government to Mr. Stevens.

SIR: Believing that we are unable to satisfactorily protect life and property, and to prevent civil disorders in Honolulu and throughout the Hawaiian Islands, we hereby, in obedience to the instructions of the advisory council, pray that you will raise the flag of the United States for the protection of the Hawaiian Islands for the time being, and to that end we hereby confer upon the Government of the United States, through you, freedom of occupation of the public buildings of this Government, and of the soil of this country, so far as may be necessary for the exercise of such protection, but not interfering with the administration of public affairs by this Government.

We have, etc.,

SANFORD B. DOLE,
President of the Provisional Government of the Hawaiian Islands,
and Minister of Foreign Affairs.
J. A. KING,
Minister of Interior.
P. C. JONES,
Minister of Finance.
WILLIAM O. SMITH,
Attorney-General.

His Excellency JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

No. 21.

*Constitution of the Hawaiian Islands, signed by His Majesty Kalakaua,
July 6, and promulgated July 7, 1887.*

CONSTITUTION.

Whereas the constitution of this Kingdom heretofore in force contains many provisions subversive of civil rights and incompatible with enlightened constitutional government;

And whereas it has become imperative, in order to restore order and tranquility and the confidence necessary to a further maintenance

of the present government, that a new constitution should be at once promulgated:

Now, therefore, I, Kalakaua, King of the Hawaiian Islands, in my capacity as Sovereign of this Kingdom, and as the representative of the people hereunto by them duly authorized and empowered, do annul and abrogate the constitution promulgated by Kamehameha the Fifth, on the 20th day of August, A. D. 1864, and do proclaim and promulgate this constitution.

ARTICLE 1. God hath endowed all men with certain inalienable rights, among which are life, liberty, and the right of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

ARTICLE 2. All men are free to worship God according to the dictates of their own consciences; but this sacred privilege hereby secured shall not be so construed as to justify acts of licentiousness, or practices inconsistent with the peace or safety of the Kingdom.

ARTICLE 3. All men may freely speak, write, and publish their sentiments on all subjects, being responsible for the abuse of that right, and no law shall be enacted to restrain the liberty of speech or of the press.

ARTICLE 4. All men shall have the right, in an orderly and peaceable manner, to assemble, without arms, to consult upon the common good, and to petition the King or legislature for redress of grievances.

ARTICLE 5. The privilege of the writ of habeas corpus belongs to all men, and shall not be suspended unless by the King when, in cases of rebellion or invasion, the public safety shall require its suspension.

ARTICLE 6. No person shall be subject to punishment for any offense except on due and legal conviction thereof in a court having jurisdiction of the case.

ARTICLE 7. No person shall be held to answer for any crime or offense (except in cases of impeachment or for offenses within the jurisdiction of a police or district justice, or in summary proceedings for contempt) unless upon indictment, fully and plainly describing such crime or offense, and shall have the right to meet the witnesses who are produced against him face to face; to produce witnesses and proofs in his own favor; and by himself or his counsel, at his election, to examine the witnesses produced by himself, and cross-examine those produced against him, and to be fully heard in his own defence. In all cases in which the right of trial by jury has been heretofore used it shall be held inviolable forever, except in actions of debt or assumpsit in which the amount claimed is less than fifty dollars.

ARTICLE 8. No person shall be required to answer again for an offense of which he has been duly convicted or of which he has been duly acquitted.

ARTICLE 9. No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law.

ARTICLE 10. No person shall sit as a judge or juror in any case in which his relative, by affinity, or by consanguinity within the third degree, is interested, either as plaintiff or defendant, or in the issue of which the said judge or juror may have, either directly or through such relative, any pecuniary interest.

ARTICLE 11. Involuntary servitude, except for crime, is forever prohibited in this Kingdom. Whenever a slave shall enter Hawaiian territory he shall be free.

ARTICLE 12. Every person has the right to be secure from all un-

reasonable searches and seizures of his person, his house, his papers, and effects ; and no warrants shall issue except on probable cause, supported by oath or affirmation, and describing the place to be searched, and the persons or things to be seized.

ARTICLE 13. The Government is conducted for the common good, and not for the profit, honor, or private interest of any one man, family, or class of men.

ARTICLE 14. Each member of society has a right to be protected in the enjoyment of his life, liberty, and property, according to law ; and, therefore, he shall be obliged to contribute his proportional share to the expense of this protection, and to give his personal services, or an equivalent when necessary. Private property may be taken for public use, but only upon due process of law and just compensation.

ARTICLE 15. No subsidy, duty, or tax, of any description, shall be established or levied without the consent of the legislature ; nor shall any money be drawn from the public treasury without such consent, except when, between the sessions of the legislature, the emergencies of war, invasion, rebellion, pestilence, or other public disaster shall arise, and then not without the concurrence of all the cabinet, and of a majority of the whole privy council ; and the minister of finance shall render a detailed account of such expenditure to the legislature.

ARTICLE 16. No retrospective laws shall ever be enacted.

ARTICLE 17. The military shall always be subject to the laws of the land ; and no soldier shall, in time of peace, be quartered in any house without the consent of the owner ; nor in time of war, but in a manner to be prescribed by the legislature.

ARTICLE 18. Every elector shall be privileged from arrest on election days, during his attendance at election, and in going to and returning therefrom, except in case of treason, felony, or breach of the peace.

ARTICLE 19. No elector shall be so obliged to perform military duty on the day of election, as to prevent his voting, except in time of war or public danger.

ARTICLE 20. The supreme power of the Kingdom, in its exercise, is divided into the executive, legislative, and judicial ; these shall always be preserved distinct, and no executive or judicial officer, or any contractor, or employee of the Government, or any person in the receipt of salary or emolument from the Government, shall be eligible to election to the legislature of the Hawaiian Kingdom, or to hold the position of an elective member of the same. And no member of the legislature shall, during the time for which he is elected, be appointed to any civil office under the Government, except that of a member of the cabinet.

ARTICLE 21. The Government of this Kingdom is that of a constitutional monarchy, under His Majesty Kalakaua, his heirs and successors.

ARTICLE 22. The crown is hereby permanently confirmed to His Majesty Kalakaua, and to the heirs of his body lawfully begotten, and to their lawful descendants in a direct line ; failing whom, the crown shall descend to Her Royal Highness the Princess Liliuokalani, and the heirs of her body lawfully begotten, and their lawful descendants in a direct line. The succession shall be to the senior male child, and to the heirs of his body ; failing a male child, the succession shall be to the senior female child, and to the heirs of her body. In case there is no heir as above provided, the successor shall be the person whom the sovereign shall appoint, with the consent of the nobles, and publicly proclaim during the sovereign's life ; but should there be no such ap-

pointment and proclamation, and the throne should become vacant, then the cabinet, immediately after the occurring of such vacancy, shall cause a meeting of the legislature, who shall elect by ballot some native Alii of the Kingdom as successor to the throne; and the successor so elected shall become a new *stirps* for a royal family; and the succession from the sovereign thus elected shall be regulated by the same law as the present royal family of Hawaii.

ARTICLE 23. It shall not be lawful for any member of the royal family of Hawaii who may by law succeed to the throne, to contract marriage without the consent of the reigning sovereign. Every marriage so contracted shall be void, and the person so contracting a marriage, may, by the proclamation of the reigning sovereign, be declared to have forfeited his or her right to the throne; and after such proclamation, the right of succession shall vest in the next heir as though such offender were dead.

ARTICLE 24. His Majesty Kalakaua will, and his successor shall, take the following oath: I solemnly swear, in the presence of Almighty God, to maintain the constitution of the Kingdom whole and inviolate, and to govern in conformity therewith.

ARTICLE 25. No person shall ever sit upon the throne who has been convicted of any infamous crime, or who is insane or an idiot.

ARTICLE 26. The King is the commander-in-chief of the army and navy, and of all other military forces of the Kingdom, by sea and land; but he shall never proclaim war without the consent of the legislature; and no military or naval force shall be organized except by the authority of the legislature.

ARTICLE 27. The King, by and with the advice of his privy council, and with the consent of the cabinet, has the power to grant reprieves and pardons, after conviction, for all offenses, except in case of impeachment.

ARTICLE 28. The King convenes the legislature at the seat of Government, or at a different place, if that should become insecure from an enemy or any dangerous disorder, and prorogues the same; and in any great emergency he may, with the advice of the privy council, convene the legislature in extraordinary session.

ARTICLE 29. The King has the power to make treaties. Treaties involving changes in the tariff, or in any law of the Kingdom, shall be referred for approval to the legislature. The King appoints public ministers, who shall be commissioned, accredited, and instructed agreeably to the usage and law of nations.

ARTICLE 30. It is the King's prerogative to receive and acknowledge public ministers; to inform the legislature by royal message, from time to time, of the state of the Kingdom; and to recommend to its consideration such measures as he shall judge necessary and expedient.

ARTICLE 31. The person of the King is inviolable and sacred. His ministers are responsible. To the King and the cabinet belongs the executive power. All laws that have passed the legislature shall require his majesty's signature in order to their validity, except as provided in Article 48.

ARTICLE 32. Whenever, upon the decease of the reigning sovereign, the heir shall be less than eighteen years of age, the royal power shall be exercised by a regent or council of regency, as hereinafter provided.

ARTICLE 33. It shall be lawful for the King, at any time when he may be about to absent himself from the Kingdom, to appoint a regent or council of regency, who shall administer the Government in his name; and likewise the King may, by his last will and testament, appoint a

regent or council of regency to administer the Government during the minority of any heir to the throne; and should a sovereign de cease, leaving a minor heir, and having made no last will and testament, the cabinet at the time of such de cease shall be a council of regency, until the legislature, which shall be called immediately, be assembled; and the legislature, immediately that it is assembled, shall proceed to choose by ballot a regent or council of regency, who shall administer the Government in the name of the King, and exercise all the powers which are constitutionally vested in the King, until such heir shall have attained the age of eighteen years, which age is declared to be the legal majority of such sovereign.

ARTICLE 34. The King is sovereign of all the chiefs and of all the people.

ARTICLE 35. All titles of honor, orders, and other distinctions emanate from the King.

ARTICLE 36. The King coins money and regulates the currency by law.

ARTICLE 37. The king, in case of invasion or rebellion, can place the whole kingdom, or any part of it, under martial law.

ARTICLE 38. The national ensign shall not be changed except by act of the legislature.

ARTICLE 39. The King can not be sued or held to account in any court or tribunal of the Kingdom.

ARTICLE 40. There shall continue to be a council of state for advising the King in all matters for the good of the state wherein he may require its advice, which council shall be called the King's privy council of state, and the members thereof shall be appointed by the King, to hold office during his majesty's pleasure, and which council shall have and exercise only such powers as are given to it by the constitution.

ARTICLE 41. The cabinet shall consist of the minister of foreign affairs, the minister of the interior, the minister of finance, and the attorney-general, and they shall be his majesty's special advisers in the executive affairs of the Kingdom; and they shall be *ex-officio* members of his majesty's privy council of state. They shall be appointed and commissioned by the King, and shall be removed by him only upon a vote of want of confidence passed by a majority of all the elective members of the legislature or upon conviction of felony, and shall be subject to impeachment. No act of the King shall have any effect unless it be countersigned by a member of the cabinet, who by that signature makes himself responsible.

ARTICLE 42. Each member of the cabinet shall keep an office at the seat of Government, and shall be accountable for the conduct of his deputies and clerks. The cabinet holds seats *ex-officio* in the legislature with the right to vote, except on a question of confidence in them.

ARTICLE 43. The minister of finance shall present to the legislature in the name of the Government, on the first day of each biennial session, the financial budget, in the Hawaiian and English languages.

ARTICLE 44. The legislative power of the Kingdom is vested in the King and the legislature, which shall consist of the nobles and representatives sitting together.

ARTICLE 45. The legislative body shall be styled the legislature of Hawaiian Kingdom and shall assemble biennially in the month of May. The first regular session shall be held in the year of our Lord eighteen hundred and eighty-eight.

ARTICLE 46. Every member of the legislature shall take the follow-

ing oath: I solemnly swear, in the presence of Almighty God, that I will faithfully support the constitution of the Hawaiian Kingdom and conscientiously and impartially discharge my duties as a member of the legislature.

ARTICLE 47. The legislature has full power and authority to amend the constitution as hereinafter provided; and from time to time to make all manner of wholesome laws not repugnant to the constitution.

ARTICLE 48. Every bill which shall have passed the legislature shall, before it becomes a law, be presented to the King. If he approve, he shall sign it, and it shall thereby become a law; but if not he shall return it, with his objections, to the legislature, which shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration it shall be approved by a two thirds vote of all the elective members of the legislature it shall become a law. In all such cases the votes shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of the legislature. If any bill shall not be returned by the King within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the legislature by their adjournment prevent its return, in which case it shall not be a law.

ARTICLE 49. The legislature shall be the judge of the qualifications of its own members, except as may hereafter be provided by law, and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as the legislature may provide.

ARTICLE 50. The legislature shall choose its own officers and determine the rules of its own proceedings.

ARTICLE 51. The legislature shall have authority to punish by imprisonment, not exceeding thirty days, every person not a member who shall be guilty of disrespect to the legislature by any disorderly or contemptuous behavior in its presence; or who, during the time of its sitting, shall publish any false report of its proceedings, or insulting comments upon the same; or who shall threaten harm to the body or estate of any of its members for anything said or done in the legislature; or who shall assault any of them therefor, or who shall assault or arrest any witness, or other person ordered to attend the legislature, on his way going or returning; or who shall rescue any person arrested by order of the legislature.

ARTICLE 52. The legislature may punish its own members for disorderly behavior.

ARTICLE 53. The legislature shall keep a journal of its proceedings; and the yeas and nays of the members, on any question, shall, at the desire of one-fifth of those present, be entered on the journal.

ARTICLE 54. The members of the legislature shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the legislature and in going to and returning from the same; provided such privilege as to going and returning shall not cover a period of over twenty days; and they shall not be held to answer for any speech or debate made in the legislature, in any court or place whatsoever.

ARTICLE 55. The representatives shall receive for their services a compensation to be determined by law, and paid out of the public treasury, but no increase of compensation shall take effect during the biennial term in which it shall have been made; and no law shall be passed

increasing the compensation of representatives beyond the sum of two hundred and fifty dollars each for each biennial term.

ARTICLE 56. A noble shall be a subject of the Kingdom, who shall have attained the age of twenty-five years and resided in the Kingdom three years, and shall be the owner of taxable property in this Kingdom of the value of three thousand dollars over and above all encumbrances, or in receipt of an income of not less than six hundred dollars per annum.

ARTICLE 57. The nobles shall be a court with full and sole authority to hear and determine all impeachments made by the representatives, as the grand inquest to the Kingdom, against any officers of the Kingdom, for misconduct or maladministration in their offices; but previous to the trial of every impeachment the nobles shall respectfully be sworn truly and impartially to try and determine the charge in question according to evidence and law. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit under this Government; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment according to the laws of the land.

ARTICLE 58. Twenty-four nobles shall be elected as follows: Six from the island of Hawaii; six from the islands of Maui, Molokai, and Lanai; nine from the island of Oahu; and three from the islands of Kauai and Niihau. At the first election held under this constitution the nobles shall be elected to serve until the general election to the legislature for the year of our Lord 1890, at which election, and thereafter, the nobles shall be elected at the same time and places as the representatives. At the election for the year of our Lord 1890, one-third of the nobles from each of the divisions aforesaid shall be elected for two years, and one-third for four years, and one-third for six years, and the electors shall ballot for them for such terms, respectively; and at all subsequent general elections they shall be elected for six years. The nobles shall serve without pay.

ARTICLE 59. Every male resident of the Hawaiian Islands, of Hawaiian, American, or European birth or descent, who shall have attained the age of twenty years, and shall have paid his taxes, and shall have caused his name to be entered on the list of voters for nobles for his district, shall be an elector of nobles, and shall be entitled to vote at any election of nobles: Provided—

First. That he shall have resided in the country not less than three years, and in the district in which he offers to vote not less than three months immediately preceding the election at which he offers to vote.

Second. That he shall own and be possessed, in his own right, of taxable property in this country of the value of not less than three thousand dollars over and above all encumbrances, or shall have actually received an income of not less than six hundred dollars during the year next preceding his registration for such election.

Third. That he shall be able to read and comprehend an ordinary newspaper printed in either the Hawaiian, English, or some European language.

Fourth. That he shall have taken an oath to support the constitution and laws, such oath to be administered by any person authorized to administer oaths, or by any inspector of elections:

Provided, however, That the requirements of a three years' residence and of ability to read and comprehend an ordinary newspaper, printed either in the Hawaiian, English, or some European language, shall not apply to persons residing in the Kingdom at the time of the promulga-

tion of this constitution, if they shall register and vote at the first election which shall be held under this constitution.

ARTICLE 60. There shall be twenty-four representatives of the people elected biennially, except those first elected under this constitution, who shall serve until the general election for the year of our Lord 1890. The representation shall be based upon the principles of equality and shall be regulated and apportioned by the legislature according to the population, to be ascertained from time to time by the official census. But until such apportionment by the legislature, the apportionment now established by law shall remain in force, with the following exceptions, namely, there shall be but two representatives for the districts of Hilo and Puna on the island of Hawaii, but one for the districts of Lahaina and Kaanapali on the island of Maui, and but one for the districts of Koolauloa and Waialua on the island of Oahu.

ARTICLE 61. No person shall be eligible as a representative of the people unless he be a male subject of the Kingdom who shall have arrived at the full age of twenty-one years; who shall know how to read and write either the Hawaiian, English, or some European language; who shall understand accounts; who shall have been domiciled in the Kingdom for at least three years, the last of which shall be the year immediately preceding his election; and who shall own real estate within the Kingdom of a clear value over and above all encumbrances of at least five hundred dollars; or who shall have an annual income of at least two hundred and fifty dollars, derived from any property or some lawful employment.

ARTICLE 62. Every male resident of the Kingdom of Hawaiian, American, or European birth or descent, who shall have taken an oath to support the constitution and laws in the manner provided for electors of nobles; who shall have paid his taxes; who shall have attained the age of twenty years, and shall have been domiciled in the Kingdom for one year immediately preceding the election, and shall know how to read and write either the Hawaiian, English, or some European language (if born since the year 1840), and shall have caused his name to be entered on the list of voters of his district as may be provided by law, shall be entitled to one vote for the representative or representatives of that district, provided, however, that the requirements of being domiciled in the Kingdom for one year immediately preceding the election, and of knowing how to read and write, either the Hawaiian, English, or some European language, shall not apply to persons residing in this Kingdom at the time of the promulgation of this constitution, if they shall register and vote at the first election which shall be held under this constitution.

ARTICLE 63. No person shall sit as a noble or representative in the legislature unless elected under, and in conformity with, the provisions of this constitution. The property or income qualification of representatives, of nobles, and of electors of nobles, may be increased by law; and a property or income qualification of electors of representatives may be created and altered by law.

ARTICLE 64. The judicial power of the Kingdom shall be vested in one supreme court and in such inferior courts as the legislature may, from time to time, establish.

ARTICLE 65. The supreme court shall consist of a chief justice, and not less than two associate justices, any of whom may hold the court. The justices of the supreme court shall hold their offices during good behavior, subject to removal upon impeachment, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office: *Provided, however,*

That any judge of the supreme court or any other court of record may be removed from office, on a resolution passed by two-thirds of all the members of the legislature, for good cause shown to the satisfaction of the King. The judge against whom the legislature may be about to proceed shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least ten days before the day on which the legislature shall act thereon. He shall be heard before the legislature.

ARTICLE 66. The judicial power shall be divided among the supreme court and the several inferior courts of the Kingdom in such manner as the legislature may from time to time prescribe, and the tenure of office in the inferior courts of the Kingdom shall be such as may be defined by the law creating them.

ARTICLE 67. The judicial power shall extend to all cases in law and equity arising under the constitution and laws of this Kingdom and treaties made, or which shall be made under their authority, to all cases effecting public ministers and consuls, and to all cases of admiralty and maritime jurisdiction.

ARTICLE 68. The chief justice of the supreme court shall be the chancellor of the Kingdom; he shall be *ex officio* president of the nobles in all cases of impeachment, unless when impeached himself, and shall exercise such jurisdiction in equity or other cases as the law may confer upon him, his decisions being subject, however, to the revision of the supreme court on appeal. Should the chief justice ever be impeached, some person specially commissioned by the King shall be president of the court of impeachment during such trial.

ARTICLE 69. The decisions of the supreme court, when made by a majority of the justices thereof, shall be final and conclusive upon all parties.

ARTICLE 70. The King, his cabinet, and the legislature shall have authority to require the opinions of the justices of the supreme court, upon important questions of law and upon solemn occasions.

ARTICLE 71. The King appoints the justices of the supreme court and all other judges of courts of record. Their salaries are fixed by law.

ARTICLE 72. No judge or magistrate shall sit alone on an appeal or new trial in any case on which he may have given a previous judgment.

ARTICLE 73. The following persons shall not be permitted to register for voting, to vote, or to hold office under any department of the Government, or to sit in the legislature, namely: Any person who is insane or an idiot, or any person who shall have been convicted of any of the following named offenses, viz: Arson, barratry, bribery, burglary, counterfeiting, embezzlement, felonious branding of cattle, forgery, gross cheat, incest, kidnaping, larceny, malicious burning, manslaughter in the first degree, murder, perjury, rape, robbery, sodomy, treason, subornation of perjury, and malfeasance in office, unless he shall have been pardoned by the King and restored to his civil rights, and by the express terms of his pardon declared to be eligible to offices of trust, honor, and profit.

ARTICLE 74. No officer of this Government shall hold an office or receive any salary from any other Government or power whatever.

ARTICLE 75. The legislature votes the appropriations biennially, after due consideration of the revenue and expenditure for the two preceding years and the estimates of the revenue and expenditure of the two succeeding years, which shall be submitted to them by the minister of finance.

ARTICLE 76. The enacting style in making and passing all acts and laws shall be, "Be it enacted by the King and the legislature of the Hawaiian Kingdom."

ARTICLE 77. To avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in its title.

ARTICLE 78. Wherever by this constitution any act is to be done or performed by the King or the Sovereign, it shall, unless otherwise expressed, mean that such act shall be done and performed by the Sovereign by and with the advice and consent of the cabinet.

ARTICLE 79. All laws now in force in this Kingdom shall continue and remain in full effect until altered or repealed by the legislature, such parts only excepted as are repugnant to this constitution. All laws heretofore enacted, or that may hereafter be enacted, which are contrary to this constitution, shall be null and void.

ARTICLE 80. The cabinet shall have power to make and publish all necessary rules and regulations for the holding of any election or elections under this constitution prior to the passage by the legislature of appropriate laws for such purpose, and to provide for administering to officials, subjects, and residents the oath to support this constitution. The first election hereunder shall be held within ninety days after the promulgation of this constitution, and the legislature then elected may be convened at Honolulu upon the call of the cabinet council, in extraordinary session, at such time as the cabinet council may deem necessary, thirty days' notice thereof being previously given.

ARTICLE 81. This constitution shall be in force from the 7th day of July, A. D. 1887, but that there may be no failure of justice or inconvenience to the Kingdom from any change, all officers of this Kingdom at the time this constitution shall take effect shall have, hold, and exercise all the power to them granted. Such officers shall take an oath to support this constitution within sixty days after the promulgation thereof.

ARTICLE 82. Any amendment or amendments to this constitution may be proposed in the legislature, and if the same shall be agreed to by a majority of the members thereof, such proposed amendment or amendments shall be entered on its journal, with the yeas and nays taken thereon, and referred to the next legislature; which proposed amendment or amendments shall be published for three months previous to the next election of representatives and nobles; and if in the next legislature such proposed amendment or amendments shall be agreed to by two-thirds of all the members of the legislature, such amendment or amendments shall become part of the constitution of this Kingdom.

KALAKAUA REX.

By the King:
W. L. GREEN,
Minister of Finance.

HONOLULU, Oahu, ss:

I, Kalakaua, King of the Hawaiian Islands, in the presence of Almighty God, do solemnly swear to maintain this constitution whole and inviolate, and to govern in conformity therewith.

KALAKAUA REX.

Subscribed and sworn to before me this sixth day of July, A. D. 1887.

A. F. JUDD,
Chief Justice of the Supreme Court and Chancellor of the Kingdom.

(No. 22.)

Statistical tabulated statements pertaining to the Hawaiian Islands.

A.

Census of Hawaii.

	1878.			1884.			1890.			Registered voters, 1890.
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
Natives.....			44,088			40,014			34,436	8,777
Half-castes.....			3,420			4,218			6,186	777
Hawaiian-born foreigners.....									7,495	146
Americans.....			1,276			2,066			1,928	637
British.....			883			1,282			1,344	505
Germans.....			272			1,600			1,034	382
French.....			81			192			70	22
Portuguese.....			436			9,377			8,602	2,091
Norwegian.....									227	78
Chinese.....			5,916			17,939			15,301	
Japanese.....						116			12,360	
Polynesians.....									588	42
All others.....									419	136
Total..	34,103	23,882	57,985	51,529	29,039	80,578	58,714	31,276	89,990	13,593

The estimated population of Hawaii, on July 1,^{*} 1892, according to the Hawaiian Annual, was 96,075.

B.

HAWAIIAN REAL AND PERSONAL PROPERTY.

Statement of assessments, real and personal property.

Years.	Real.	Personal.	Total.
1882.....	\$14,978,547	\$16,230,790	\$31,209,337
1884.....	15,734,564	18,502,132	34,236,696
1886.....	15,602,214	19,352,823	34,955,037
1888.....	16,730,085	16,477,968	33,208,053
1889.....	17,702,939	17,213,527	34,916,466
1890.....	18,343,958	17,000,240	35,344,198

The value of real and personal property in the Kingdom for 1891 is estimated at about \$39,000,000.

The estimated value of Government property of all kinds, including cash in treasury, is \$6,189,303. (Consul-General Severance, Con. Repts. No. 142, p. 413.)

NOTE BY COMMISSIONERS.—To this amount should be added the value of the Crown lands, which, at a moderate estimate, are worth \$2,500,000.

C.

SCHOOL STATISTICS.

Hawaiian school attendance.

Year.	No. of schools.	Attendance.		
		Boys.	Girls.	Total.
1888.....	189	4,976	3,864	8,770
1890.....	178	5,532	4,474	10,006
1892.....	168	5,910	4,802	10,712

Classification of schools.

Classification.	1890.	1892.
Government native schools:		
Schools	36	28
Teachers	37	29
Pupils	768	552
Government English schools:		
Schools	94	99
Teachers	193	221
Pupils	6,575	7,148
Independent schools:		
Schools	48	41
Teachers	136	142
Pupils	2,663	3,012

Year.	No. of schools.	Pupils attending.	School revenue.	Total population.
1887.....	189	8,770	\$203,020	.....
1888.....	189	8,770	203,022	.....
1889.....	178	10,000	391,438	.....
1890.....	178	10,006	391,428	89,990
1891.....	178	10,000	326,920	95,805
1892.....	178	10,000	326,920	*96,075

* Estimated on July 1, Hawaiian Annual.

Nationality of pupils.

Nationality.	1880.	1888.	1890.	1892.
Hawaiians.....	5,657	5,320	5,599	5,353
Half-caste Hawaiians.....	955	1,247	1,573	1,866
Americans.....	247	253	259	371
English.....	90	163	139	131
Germans.....	37	176	199	191
Portuguese.....	55	1,335	1,813	2,253
Norwegians.....	.....	40	58	71
Chinese.....	85	147	262	353
South Sea Islanders.....	.....	16	40	36
Japanese.....	.....	54	39	60
Other foreigners.....	38	19	25	21
Total.....	7,164	8,770	10,006	10,712

School attendance is compulsory.

62 ANNEXATION TREATY WITH THE HAWAIIAN ISLANDS.

Nationality of school teachers, 1892.

Nationality.	Males.	Females.	Total.
Hawaiian	59	20	79
Half-caste	13	23	41
American	38	39	77
English	20	19	39
German	2	2	4
Others	2	8	10
Total	134	116	250

D.

HAWAIIAN PUBLIC-DEBT STATEMENT.

[From the Biennial Report of the Minister of Finance to the Legislative Assembly of 1892.]

On the 31st of March, 1890, the bonded debt was..... \$1,934,000.00
 Of this there was paid during the period..... 7,800.00
 1,926,200.00

Borrowed under authority of acts:
 August 5, 1888..... \$50,000
 October 24, 1890..... 95,000
 Postal Savings Bank account..... 29,100
 October 15, 1886..... 213,700
 387,800.00

Bonded debt March 31, 1892..... 2,314,000.00
 Amount due depositors in Postal Savings Bank March
 31, 1892, for which coupon 6 per cent bonds are on de-
 posit in the Treasury by the Postmaster-General..... 903,161.13
 Total bonded debt March 31, 1892..... 3,217,161.13

Detailed statement of bonded debt March 31, 1892.

Act of August 5, 1882:
 Stock A, 6 per cent..... \$37,000.00
 Stock E, 6 per cent..... 14,500.00
 Stock O, 6 per cent..... 3,300.00
 Stock U, 6 per cent..... 25,000.00
 79,800.00

[May be redeemed in 5 years, must be redeemed in
 25 years.]

Act of October 15, 1886:
 Loan in London..... 980,000.00
 Stock A, 6 per cent..... 373,000.00
 Stock E, 6 per cent..... 142,000.00
 Stock U, 6 per cent..... 505,000.00
 2,000,000.00

[May be redeemed in 10 years, must be redeemed in
 25 years.]

Act of October 15, 1888:
 Stock U, 6 per cent..... 50,000.00
 Act of October 15, 1890:
 Stock A, 6 per cent..... 95,000.00

[May be redeemed in 5 years; must be redeemed in
 10 years.]

Postal Savings Bank account:
 Stock A, 5 per cent..... \$18,000.00
 Stock E, 5 per cent..... 9,000.00
 Stock O, 5 per cent..... 2,100.00
 29,100.00

[May be redeemed in 5 years; must be redeemed in
 20 years.]

Act of September 27, 1876:

Stock A, 7 per cent.....	\$1,000.00	
Stock E, 7 per cent.....	500.00	
		\$1,500.00

[Payable at time specified on face, to be not later than 20 years.]

Act of June 22, 1868:

Stock U, 9 per cent.....	10,000.00	
Stock E, 9 per cent.....	2,000.00	
Stock O, 9 per cent.....	500.00	
		12,500.00

[Stock U falls due during current biennial period; no dates as to balance, but the amount is inconsiderable.]

Board of education:

Stock A, 12 per cent.....	15,000.00	
Stock E, 12 per cent.....	500.00	
Stock I, 12 per cent.....	400.00	
Stock O, 12 per cent.....	200.00	
Stock U, 12 per cent.....	30,000.00	
		46,100.00

	2,314,000.00	
Due Postal Savings Bank depositors	903,161.13	
		3,217,161.13

[*Board of education*: Certain lands were originally set apart by the Hawaiian Government for the use of the board of education. These lands were afterward sold, and the amount realized (\$40,000) was, by act of the legislature, paid into the public treasury and these bonds issued to the board of education. They may be canceled at any time.]

[*Postal savings bank*: About \$200,000 to \$300,000 have been withdrawn since the date of the minister's report, about one-half of which has been paid from the general fund in the treasury, and the balance obtained by loans secured by treasury notes of the Hawaiian Government, authorized by an act of August 30, 1892, payable in from three to eighteen months, at 6 per cent.]

[The foregoing bonds are all payable in United States gold or its equivalent.]

NOTE TO HAWAIIAN DEBT STATEMENT—The matter bracketed [] was supplied by the Hawaiian commission.

E.

SUGAR ESTATES.

[Consul-General Severance, March 22, 1892. Consular reports, No. 142, p. 413.]

The total value of plantations, as taken from the Planter's Monthly, is estimated at \$32,347,690, owned as follows: By Americans, \$24,735,610, or 74.17 per cent; by British, \$6,038,130, or 18.11 per cent; by Germans, \$2,008,600, or 6.02 per cent; by Hawaiians, \$266,250, or 0.80 per cent; other nationalities, \$299,100, or 0.90 per cent.

The average monthly wages of employes in January, 1890, were as follows: Contract laborers, \$17.74; skilled laborers, \$63.13.

The estimated area of land now under cane cultivation, including three new plantations of 3,700 acres, is 67,849 acres, from which the sugar exports reached 2 tons per acre, or 292,083,580 pounds.

Owing to the present low prices of sugar, the value of the crops will decrease from the year 1890, while the quantity of sugar exceeds that produced in 1890 by 16,000 tons.

64 ANNEXATION TREATY WITH THE HAWAIIAN ISLANDS.

F.

Hawaiian internal taxes for biennial periods, 1882-1891.

[Compiled, for the Hawaiian Annual, from finance and board of education reports.]

Biennial periods.	Real estate.	Personal property.	Pole.	Horses.	Mules.	Dogs.
1882.....	\$187,929	\$208,006	\$45,998	\$42,819	(*)	\$13,996
1884.....	223,100	254,286	52,964	24,975	\$1,941	13,924
1886.....	227,195	262,307	61,745	(†)	3,303	13,315
1888.....	252,362	299,974	63,115	(†)	6,279	11,985
1890.....	330,390	329,908	69,116	(†)	3,063	14,100
1891.....	‡ 358,745	‡ 341,225	78,064	(†)	4,156	13,660

Biennial periods.	Carriages.	Seamen.	Roads.	School.	Total.
1882.....	\$7,125	\$642	\$90,041	\$87,322	\$683,957
1884.....	8,750	402	103,054	100,278	780,674
1886.....	10,635	114	118,256	115,298	812,167
1888.....	11,835	.....	120,872	119,565	885,987
1890.....	13,940	.....	132,285	131,160	1,032,963
1891.....	14,628	.....	152,137	151,906	1,114,521

*Insurance. †Included in personal property after 1884. ‡Corrected by the commissioners.

Tax per capita, annual.

1882.....	\$5.29
1884.....	5.07
1886.....	4.67
1888.....	5.71
1890.....	6.23
1891.....	5.85

G.

Hawaiian revenue and expenditures for biennial periods, 1878-1880 to 1890-1892.

	1878-1880.	1880-1882.	1882-1884.	1884-1886.	1886-1888.	1888-1890.	Estimated. 1890-1892.
REVENUE.							
Custom-house.....	\$582,846	\$719,245	\$944,638	\$986,417	\$1,204,365	\$1,082,766	\$1,355,744
Internal commerce.....	122,946	141,744	178,149	194,174	226,842	188,642	196,857
Internal taxes.....	465,252	556,615	680,397	696,869	766,422	901,803	963,496
Fines, fees, etc.....	190,265	219,069	233,710	96,490	149,483	608,316	458,623
Government realization and receipts of bureaus.....	318,527	393,586	374,291	684,749	513,742	33,623	266,600
Government stocks.....	23,900	.....	668,900	.....	.....	.....	387,800
Farm loans.....	.....	.....	.....	.....	1,811,800	34,530	274,761
Postal savings.....	.....	.....	.....	.....	319,932	780,526	13,000
Crown commissions.....	.....	.....	12,000	12,000	.....	.....	.....
Total.....	1,703,730	2,070,259	3,092,085	3,010,655	4,812,576	3,632,196	3,916,881
EXPENDITURES.							
Civil list.....	65,500	100,000	148,500	127,931	128,925	76,800	69,710
Permanent settlements.....	15,075	19,512	20,347	14,028	8,967	4,885	4,685
Legislature and privy coun- cil.....	16,523	19,338	24,942	31,455	60,284	22,767	34,694
Judiciary department.....	79,667	92,874	115,892	129,057	154,566	175,979	177,251
Department of war.....	67,993	.....	.....	.....	.....	.....	.....
Department of foreign af- fairs.....	36,850	129,353	252,641	222,678	257,996	156,445	181,400
Department of the interior.....	656,810	1,204,703	1,824,795	1,162,126	1,528,260	779,111	1,378,885
Department of finance.....	260,057	299,436	319,062	566,569	727,264	563,458	695,293
Department of attorney.. general.....	123,664	163,527	266,730	279,872	279,819	259,237	391,592
Bureau of public instruc- tion.....	79,605	84,249	91,735	131,693	165,913	197,610	280,269
Board of health.....	.....	.....	.....	241,470	247,907	316,664	329,815
Miscellaneous.....	93,973	169,608	151,742	*76,821	†1,152,338	155,784	622,292
Contingent.....	.....	.....	.....	.....	.....	15,494	.....
Total.....	1,495,607	2,282,596	3,216,406	3,003,700	4,712,285	2,671,430	4,165,891

*Indemnity account for sundry expenses. †Including recall and cancellation of bonds, \$625,000.

H.

Receipts, expenditures, and public debt of Hawaii.

Years.	Revenue.	Expenditures.	Cash balance in treasury.	Public debt.
1880.....	\$1,703,737	\$1,495,697	\$338,880	\$388,900
1882.....	2,070,060	2,282,599	126,541	299,200
1884.....	3,092,085	3,216,406	2,220	898,800
1886.....	3,010,655	3,003,700	9,175	1,065,600
1888.....	4,812,576	4,712,285	109,466	1,936,500
1890.....	3,632,197	3,250,510	491,152	2,599,502
1892.....	4,408,891	4,095,891	*150,000	3,217,161

*Estimated by the Commissioners.

S. Ex. 76—5

I.

IMPORTS BY ARTICLES.

Statement showing the imports, in detail, into Hawaii during the years ending with 1891.

[From Hawaiian Statistical Report.]

Articles.	1883.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.
Ale, porter, beer, and cider.....	\$68,183		\$63,061	\$81,371	\$75,984		\$77,442	\$106,679	\$98,264
Animals and birds.....	148,570		56,746	101,426	74,024		69,986	153,935	119,494
Building materials.....	153,104		56,301	103,951	116,215		100,466	174,763	185,591
Clothing, hats, and boots.....	427,255		268,109	302,064	342,947		362,658	407,296	405,712
Coal and coke.....			71,576	98,417	56,887		118,616	15,477	167,872
Crockery and glassware.....	47,043		20,458	29,392	49,540		40,968	60,028	46,049
Drugs and druggists' wares.....	48,762		35,917	39,498	42,661		47,929	61,569	63,372
Dry goods:									
Cottons.....	282,415		180,430	230,424	229,731		291,209	347,735	293,042
Linen.....	20,392		11,778	30,636	23,820		25,147	30,296	33,127
Silks.....	51,496		26,232	33,753	41,031		37,756	30,992	29,377
Woolens.....	109,472		48,073	60,898	107,599		72,800	108,840	44,756
Mixed.....	38,129		16,314	25,709	28,260		27,165	34,021	27,539
Fancy goods, millinery, etc.....	131,712		87,467	108,816	102,713		125,688	141,809	148,346
Fertilizers.....			28,140	33,036	41,807		103,528		106,662
Fish, dry and salted.....	96,630		70,977	97,148	96,760		90,555	105,962	102,074
Flour.....	167,656		144,358	150,737	176,863		171,968	202,068	273,886
Fruits, fresh.....	9,315		13,097	10,955	12,720		11,733	12,782	12,602
Furniture.....	110,808		60,823	75,341	84,382		69,670	106,977	112,611
Grain and seed.....	190,820		200,448	237,154	289,067		245,457	372,265	464,709
Groceries and provisions.....	530,817		398,632	495,447	469,501		489,977	594,047	629,356
Guns and gun material.....	13,739		10,003	12,523	22,719		20,395	27,784	10,399
Gunpowder, blasting, etc.....	7,100		3,862	4,075	4,778		4,527	2,688	11,152
Hardware, tools, implements, etc.....	347,416		168,566	248,472	237,943		282,213	376,156	315,960
Iron, steel, etc.....	62,035		36,316	43,636	50,583		43,219	80,465	98,357
Jewelry, plate, clocks, etc.....	80,917		22,133	28,421	56,801		48,228	71,566	92,826
Leather.....	51,765		41,346	47,235	46,897		41,578	45,092	40,711
Lumber.....	344,169		196,047	227,825	202,370		240,001	343,521	296,622
Machinery.....	296,102		187,745	238,592	197,951		357,466	532,080	854,773
Matches.....	7,495		11,053	15,761	13,222		12,567	13,452	13,840
Musical instruments.....	17,152		10,113	5,447	13,428		10,324	19,994	13,356
Naval stores.....	80,281		31,738	45,959	56,149		76,559	77,578	84,461
Oils, including kerosene.....	124,535		66,827	128,702	85,448		124,636	140,615	176,346
Paints, paint oil, etc.....	31,893		25,658	35,245	44,742		35,488	56,819	71,537
Perfumery and toilet articles.....	22,205		11,501	14,883	17,453		14,184	20,917	25,236
Railroad material.....	77,965		14,446	16,128	7,403		110,350	114,617	105,699
Saddlery, carriages, and material.....	89,728		49,281	66,619	71,599		65,523	135,621	91,085
Shooks, bags, etc.....	122,783		132,999	151,483	121,142		66,078	207,137	157,942
Spirits.....	127,495		93,340	114,101	93,437		168,708	118,871	107,750
Stationery and books.....	69,965		59,365	79,038	74,328		74,274	66,891	72,403
Tea.....	20,587		17,502	37,302	19,508		77,239	24,186	18,459
Tinware.....	10,356		4,915	7,545	7,544		24,506	9,301	9,270
Tobacco, cigars, etc.....	159,183		132,004	162,221	134,921		153,482	184,987	207,506
Wines, light.....	23,707		20,535	55,323	78,670		82,580	101,332	121,261
Total.....	5,624,240	4,854,787	3,830,545	4,877,739	4,596,534	4,540,887	5,438,791	6,962,201	7,439,483

J.

EXPORTS BY ARTICLES.

Statement showing the principal exports from the Hawaiian Islands.

QUANTITIES.

Articles.	1882.	1883.	1884.	1885.	1886.
Sugar.....pounds..	114, 177, 938	114, 107, 155	142, 644, 923	171, 350, 314	216, 223, 615
Molasses.....gallons..	221, 293	193, 997	110, 530	57, 941	113, 137
Rice.....pounds..	12, 169, 475	11, 619, 000	9, 493, 000	7, 367, 253	7, 338, 716
Paddy.....pounds..	459, 633	1, 368, 705	46, 224		
Coffee.....pounds..	8, 131	16, 057	4, 231	1, 675	5, 931
Hides.....number..	26, 007	38, 955	21, 026	19, 045	31, 207
Tallow.....pounds..	77, 098	32, 252	2, 864		21, 305
Goatskins.....number..	23, 402	24, 798	20, 125	19, 782	21, 173
Wool.....pounds..	528, 913	318, 271	407, 623	474, 121	418, 784
Fungus.....pounds..	2, 111	3, 783	405		
Bananas.....bunches..	28, 848	44, 902	60, 046	58, 040	45, 862

Articles.	1887.	1888.	1889.	1890.	1891.
Sugar.....pounds..	212, 763, 647	235, 888, 346	242, 165, 835	259, 768, 462	274, 983, 580
Molasses.....gallons..	71, 222	47, 965	54, 612	74, 926	55, 845
Rice.....pounds..	13, 684, 200	12, 878, 600	9, 669, 896	10, 579, 000	4, 900, 450
Paddy.....pounds..	400				
Coffee.....pounds..	5, 300	7, 130	43, 673	88, 593	3, 051
Hides.....number..	28, 639	24, 494	27, 158	28, 196	26, 057
Tallow.....pounds..	56, 713	204, 743	97, 125	33, 876	27, 925
Goatskins.....number..	16, 223	17, 589	11, 715	8, 661	7, 316
Wool.....pounds..	75, 911	562, 289	241, 925	374, 724	97, 119
Fungus.....pounds..					
Bananas.....bunches..	58, 936	71, 335	105, 630	97, 204	116, 660

VALUE.

Articles.	1882.	1883.	1884.	1885.	1886.
Sugar.....				\$8, 356, 061	\$9, 775, 132
Molasses.....				7, 050	14, 502
Rice.....				387, 297	326, 629
Paddy.....					
Coffee.....				283	1, 067
Hides.....				71, 533	111, 911
Tallow.....					1, 011
Goatskins.....				15, 023	12, 644
Wool.....				49, 574	37, 700
Fungus.....					
Bananas.....				58, 810	43, 824
All other.....					
Total.....	\$6, 885, 437	\$7, 924, 727	\$7, 977, 909	\$9, 158, 818	\$10, 565, 886

Articles.	1887.	1888.	1889.	1890.	1891.
Sugar.....	\$8, 694, 964	\$10, 818, 883	\$13, 089, 302	\$12, 159, 285	\$9, 550, 938
Molasses.....	10, 522	5, 900	6, 185	7, 603	4, 721
Rice.....	554, 295	577, 583	451, 134	545, 240	263, 455
Paddy.....					
Coffee.....	972	1, 698	8, 626	14, 737	1, 018
Hides.....	96, 851	85, 853	72, 974	70, 949	64, 032
Tallow.....	1, 121	7, 507	4, 214	1, 140	731
Goatskins.....	7, 358	8, 877	5, 461	3, 182	3, 212
Wool.....	7, 010	41, 084	23, 875	35, 396	8, 000
Fungus.....					
Bananas.....	54, 708	69, 249	135, 278	176, 351	179, 501
All others.....					
Total.....	9, 435, 204	11, 631, 465	13, 810, 071	13, 023, 304	10, 244, 325

K.

IMPORTS AND EXPORTS BY COUNTRIES.

Statement showing the value of imports into and exports from Hawaii, from and to the several countries.

From and to.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.
IMPORTS INTO HAWAII.								
United States.....	\$2,835,127	\$2,940,837	\$3,724,006	\$3,059,157	\$3,344,661	\$4,302,995	\$5,264,692	\$6,495,608
Great Britain.....	713,532	556,966	551,711	660,641	652,171	674,832	1,204,022	* 584,146
Germany.....	197,531	155,893	144,207	182,343	182,929	90,747	147,288	227,392
Australasia.....	29,375	16,803	29,352	157,871	110,924	116,192	142,494	185,156
China and Japan.....	178,162	118,864	257,913	258,885	119,616	200,926	313,607	287,956
France.....	21,121	14,384	11,495	11,605	10,292	4,781	7,803	21,666
All other countries.....								
Total	4,637,514	3,830,544	4,877,738	4,943,841	4,540,857	5,438,791	6,962,901	7,439,483
EXPORTS FROM HAWAII.								
United States.....		8,933,206	10,412,827			13,840,523	13,073,477	10,196,278
Great Britain.....								
Germany.....			12,209					10,170
Australasia.....		17,258	3,322			5,813	18,110	4,038
China and Japan.....		15,454	3,198			11,905	12,536	34,651
Islands in Pacific.....						9,684	30,769	14,153
All other places.....								
Total	8,184,923	9,069,318	10,565,886	9,529,547	11,707,599	13,874,341	13,142,829	10,258,788

Total value of exports for 1883 was \$8,133,344.

L.

Annual value of Hawaiian imports and exports.

Years.	Imports.	Exports. †	Imports and exports.	Customs receipts.
1882.....	\$4,547,979	\$6,885,437	\$11,433,416	\$505,391
1883.....	5,624,240	7,924,727	13,548,967	577,343
1884.....	4,854,787	7,977,909	12,832,696	551,737
1885.....	3,830,545	9,158,818	12,989,363	502,337
1886.....	4,877,739	10,565,886	15,443,625	580,444
1887.....	4,596,834	9,435,204	14,032,038	595,003
1888.....	4,540,887	11,631,465	16,172,352	546,143
1889.....	5,438,791	13,810,071	19,248,862	550,010
1890.....	6,962,241	13,023,304	19,985,505	695,957
1891.....	7,439,483	10,244,325	17,683,808	732,595
Total	52,713,486	100,657,146	153,370,632	5,836,960

* As given in the Hawaiian customs returns. The Hawaiian Annual gives the following figures: From the United States, \$5,294,278.57; from Great Britain, \$1,201,329.43. The total imports agree in both publications. The commission consider, in this particular, that the Hawaiian Annual is correct.

† Domestic exports only.

M.

NATIONALITY OF SHIPPING.

Statement showing the nationality of vessels engaged in the foreign carrying trade of Hawaii.

CLEARANCES.

Nationality.	1882.		1883.		1884.		1885.		1886.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
American.....	179	103,591	195	117,952	191	135,618	184	131,011	220	128,224
Hawaiian.....	19	5,613	23	7,897	29	41,398	18	6,982	29	40,242
British.....	44	56,025	42	53,310	11	3,672	30	38,749	38	30,435
German.....	11	5,716	6	4,882	4	2,959	5	2,377	8	5,581
French.....	1	244	.....	.....	4	3,225	2	720	.....	.....
All other.....	4	1,430	1	1,305	2	954	4	3,817	7	6,206
Total.....	258	172,619	267	185,316	241	187,826	243	183,656	302	219,688

Nationality.	1887.		1888.		1889.		1890.		1891.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
American.....	177	120,108	164	113,069	185	125,196	224	153,098	233	169,472
Hawaiian.....	43	61,398	43	65,115	44	56,670	35	43,641	21	26,869
British.....	18	19,869	24	28,715	22	21,108	16	22,912	33	52,866
German.....	6	4,628	8	6,385	5	3,337	9	7,070	9	9,005
French.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
All other.....	8	6,486	8	6,892	13	12,268	9	9,980	15	16,640
Total.....	252	212,489	247	222,216	269	218,579	293	236,701	311	274,852

IN THE SENATE OF THE UNITED STATES.

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

Correspondence respecting relations between the United States and the Hawaiian Islands from September, 1820, to January, 1893.

FEBRUARY 17, 1893.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

I transmit herewith a letter from the Secretary of State of the 15th instant, covering a report with accompanying correspondence respecting relations between the United States and the Hawaiian Islands from September, 1820, to January, 1893.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 16, 1893.

The PRESIDENT:

In further relation to the subject, and as being of interest in conjunction with the papers submitting the treaty concluded and signed at Washington on the 14th of February, instant, and sent to the Senate with a message on the 15th instant, the undersigned, Secretary of State, has the honor to submit the accompanying report by Andrew H. Allen, chief of the Bureau of Rolls and Library of this Department, upon the relations between the United States and the Hawaiian Islands from 1820 to 1893, supplemented by an appendix and copies of considerable correspondence involved in the narrative.

This report shows that from an early day the policy of the United States has been consistently and constantly declared against any foreign aggression in the Kingdom of Hawaii inimical to the necessarily paramount rights and interests of the American people there, and the uniform contemplation of their annexation as a contingent necessity. But beyond that it is shown that annexation has been on more than one occasion avowed as a policy and attempted as a fact. Such a solution was admitted as early as 1850 by so far-sighted a statesman as Lord Palmerston when he recommended to a visiting Hawaiian commission the contingency of a protectorate under the United States or

of becoming an integral part of this nation in fulfillment of a destiny due to close neighborhood and commercial dependence upon the Pacific States.

Early in 1851 a contingent deed of cession of the kingdom was drawn and signed by the king and placed sealed in the hands of the commissioner of the United States, who was to open it and act upon its provisions at the first hostile shot fired by France in subversion of Hawaiian independence.

In 1854 Mr. Marcy advocated annexation and a draft of a treaty was actually agreed upon with the Hawaiian ministry, but its completion was delayed by the successful exercise of foreign influence upon the heir to the throne, and finally defeated by the death of the king, Kamehameha III.

In 1867, Mr. Seward, having become advised of a strong annexation sentiment in the islands, instructed our minister at Honolulu favorably to receive any native overtures for annexation. And on the 12th of September, 1867, he wrote to Mr. McCook, "that if the policy of annexation should conflict with the policy of reciprocity, annexation is in every case to be preferred."

President Johnson in his annual message of December 9, 1868, regarded reciprocity with Hawaii as desirable, "until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union."

In 1871, on the 5th of April, President Grant in a special message significantly solicited some expression of the views of the Senate respecting the advisability of annexation.

In an instruction of March 25, 1873, Mr. Fish considered the necessity of annexing the islands in accordance with the wise foresight of those "who see a future that must extend the jurisdiction and the limits of this nation, and that will require a resting spot in midocean between the Pacific Coast and the vast domains of Asia, which are now opening to commerce and Christian civilization." And he directed our minister "not to discourage the feeling which may exist in favor of annexation to the United States," but to seek and even invite information touching the terms and conditions upon which that object might be effected.

Since the conclusion of the reciprocity treaty of 1875, it has been the obvious policy of the succeeding administrations to assert and defend against other powers the exclusive commercial rights of the United States and to fortify the maintenance of the existing Hawaiian Government through the direct support of the United States, so long as that Government shall prove able to protect our paramount rights and interests.

On December 1, 1881, Mr. Blaine, in an instruction to the American minister at Honolulu, wrote:

It [this Government] firmly believes that the position of the Hawaiian Islands, as the key to the dominion of the American Pacific, demands their benevolent neutrality, to which end it will earnestly cooperate with the native government. And if, through any cause, the maintenance of such a position of benevolent neutrality should be found by Hawaii to be impracticable, this Government would then unhesitatingly meet the altered situation by seeking an avowedly American solution for the grave issues presented.

Respectfully submitted,

JOHN W. FOSTER.

DEPARTMENT OF STATE,
February 15, 1893.

DEPARTMENT OF STATE,
BUREAU OF ROLLS AND LIBRARY,
Washington, February 9, 1893.

SIR: In obedience to your direction of the 30th of January ultimo,
I have the honor to submit the accompanying report on relations with
the Hawaiian Islands.

Respectfully,

ANDREW H. ALLEN.

The SECRETARY OF STATE.

REPORT UPON THE OFFICIAL RELATIONS OF THE UNITED STATES WITH THE HAWAIIAN ISLANDS FROM THE FIRST APPOINTMENT OF A CONSULAR OFFICER THERE BY THIS GOVERNMENT.

On September 19, 1820, Mr. John C. Jones was appointed to reside at the Sandwich Islands in the capacity of "Agent of the United States for commerce and seamen." To those functions there were added to the duties of the agent a general supervision of American interests in the islands concerning the status of which he advised the Department from time to time. Other official information touching these interests, and events then current there, was occasionally afforded by officers of the Navy, on visiting vessels, whose instructions permitted their friendly intervention in such affairs of the country as they might with propriety regard as of importance to this Government.

In consequence of instructions in May, 1825, to Commodore Hull, U. S. Navy, in command of the Pacific squadron, then at Callao, Thomas ap Catesby Jones, commanding the U. S. S. *Peacock*, was sent the following year to Honolulu on a visit of friendly inspection, to relieve the native authorities of the annoyance occasioned by deserters from American vessels in the islands, and to endeavor to adjust certain claims due American citizens there resident. The objects of this visit were successfully accomplished, and Capt. Jones negotiated a treaty of friendship, commerce, and navigation with the King, which was signed December 23, 1826. This was the first treaty formally negotiated by the Hawaiians with any foreign power, and although it was never ratified by this Government, certain of its stipulations appear to have embodied friendly views and purposes of the United States which were considered morally binding by both parties. (A copy of the treaty will be found in Appendix —.

In 1829, Capt. Finch, commanding the U. S. S. *Vincennes*, visited the islands as the bearer of presents and a letter, dated January 20 of that year, from the Secretary of the Navy, on behalf of the President. In that letter Mr. Southard said:

The President anxiously hopes that peace and kindness and justice will prevail between your people and those citizens of the United States who visit your islands, and that the regulations of your government will be such as to enforce them upon all.

Our citizens who violate your laws or interfere with your regulations violate at the same time their duty to their own Government and country, and merit censure and punishment.

From time to time thereafter naval vessels of the United States visited Hawaii and intervened in a friendly way in their affairs. Among them the United States frigate *Potomac*, with Commodore Downs, touched at Honolulu soon after the deportation, in December, 1831, of the Roman Catholic priests who had been introduced into the country in 1827 by the French, and that officer interceded successfully in behalf of some of their converts, who were undergoing persecution at the hands of the native Government. These persecutions were not

finally arrested until 1839, in July of which year the French frigate *L'Artemise*, Laplace, commander, visited there. Laplace propounded several demands for the adoption of measures for the protection of the Catholics and offered a treaty of commerce, etc., threatening in the event of noncompliance with the demands and nonsignature of the treaty by the Hawaiian authorities to proceed forthwith to hostilities. The American consul was notified by Laplace at the same time that the American Protestant clergy would be treated as a part of the native population when hostilities should begin, he regarding them as the instigators of the alleged insults to France. The treaty, however, was signed by the premier, in the King's name, and violence was averted.

Under the provisions of article VI of this treaty intoxicating liquors were introduced. (Appendix.)

At about the same time the British consul, Mr. Charlton, who had long been at odds with the native Government, left to present, en route to London, certain personal claims and complaints to the British naval force on the South Pacific station. Already his representations had secured the violent intervention of Lord Edward Russell, commanding H. B. M. S. *Acteon*, and that officer had "negotiated a treaty" under the guns of his ship, which was signed November 16, 1836. (Appendix.)

Charlton did not return, but the result of his errand was the visit in February, 1843, of Lord George Paulet, commanding H. B. M. S. *Carysfort*, who seized the islands in the Queen's name and forced from the King, Kamehameha III, a deed of cession, which was pathetically proclaimed by the unfortunate monarch on the 25th of that month. The Government was immediately put in commission by a proclamation of Lord George, he and (in the King's absence) the King's deputy, Mr. Judd, with others, being of the commission. On the 11th of May Mr. Judd resigned, after a protest against some of the acts of the commission, and thus withdrew the King from all further participation in their course. The remaining members of the commission continued to administer the Government and to perform various sovereign functions. Among others, they raised a native regiment, which they called "The Queen's Own," but which they armed and equipped at the expense of the Hawaiian treasury, and the officers of which they, of course, required to make oath of allegiance to the British Queen.

Commodore Kearney, U. S. Navy, on board the U. S. Frigate *Constellation*, arrived on the 11th of July, and promptly protested against the King's deed of cession, and also against the acts of the commission wherein the rights of American citizens had suffered in any degree. The King returned to Honolulu on the 25th of July, and on the 26th Rear-Admiral Thomas, R. N., entered the harbor on board H. B. M. S. *Dublin*, from Valparaiso. After friendly conferences between the King and the admiral, an agreement was signed, the Hawaiian flag was restored on July 31, 1843, and Lord George Paulet's act of seizure disavowed. (Appendix.)

In this relation Mr. Fox, in a note of June 25, 1843, to Mr. Upshur, used the following language:

I am directed by the Earl of Aberdeen to state to you, for the information of the Government of the United States, that the occupation of the Sandwich Islands was an act entirely unauthorized by Her Majesty's Government; and that with the least practicable delay due inquiry will be made into the proceedings which led to it. (Appendix.)

[In an ingenious (but not ingenuous) plea of defense against the claim of the King for compensation and reimbursement, the Earl of Aberdeen satisfied himself that no such claim could be entertained by Great Britain. He regarded the seizure by Lord George Paulet as not "forceible".—History Hawaiian Islands, Jarves.]

The indirect causes of this outrage were complicated, but of assisted and persistent growth. From the early days of foreign interests and immigration in Hawaii the American element had predominated. The contention of the two principal European nations sending ships into the North Pacific—England and France—for supremacy in the islands was hampered by this fact. The remedy adopted by the French was the introduction of a rival religion. It was the belief of the British consul that American influence might thus be broken, and the field left clear for a settlement of the question of ultimate sovereignty between the two powers, whose policy in that part of the world was one of conquest or colonization. The native sentiment turned toward that people by whom their independence had been first virtually acknowledged. The treaty negotiated by Capt. Jones had been the first actual recognition of their autonomy. For while that treaty had not been formally ratified, it had been observed as morally binding. The United States had manifested towards the Hawaiians a spirit of goodwill, and had maintained an attitude of neighborly respect in all official relations. The visits of their naval vessels had been generally helpful and encouraging; the purposes of their immigrants had been generally civilizing and progressive. By the policy of the French and English the Americans were thrust into a position of defense alongside of the native population, and threatened with a share of the punishment to be visited upon the government for the fancied insults and wrongs suffered by the people of those two nations.

But a short time before the event just recited, William Richards, a clergyman, and Timoteo Haalilio, of the King's suite, the first embassy from Hawaii, had left for the United States, thence to proceed to England and France, upon the errand of securing recognition of the independence of their government. Mr. Richards had been formerly sent to this country in 1836 by the King to secure, if possible, the service of some American eminent in public life as advisers to the chiefs; but his mission had been unsuccessful.

The embassy having arrived at Washington addressed a communication to Mr. Webster on the 14th of December, 1842, setting forth the situation of affairs in the Hawaiian Islands, reciting the progress of the people in the paths of civilization; their aspirations, and the necessity that demanded the formulation by the King of some definite foreign policy, and the assumption by his government of diplomatic relations with other powers.

Mr. Webster answered them on the 19th, declaring in the name of the President recognition of the independence of the Hawaiian Government and the sense of the United States that no interference with the King by foreign powers should be countenanced. He pointed out the interest of the American people in the islands and the reasons for such interest, and added that in so obvious a case the President did not regard a formal treaty or the establishment of formal diplomatic relations as then necessary. He concluded with the assurance that not improbably the correspondence would be made the subject of a communication to Congress, and be thus officially made known to the Governments of the principal commercial nations of Europe. The President communicated the correspondence to Congress on the 30th of December, with a special message declarative of his policy. (Appendix.)

This recognition of Hawaiian independence was, as we shall see, afterwards confirmed by Mr. Calhoun.

Proceeding to England the Hawaiian ambassadors were finally suc-

cessful in London in securing, on the 28th of November, 1843, a convention between France and Great Britain, engaging them "reciprocally to consider the Sandwich Islands as an independent state, and never to take possession, either directly or under title of protectorate, or under any other form, of any part of the territory of which they are composed." (Appendix.)

This convention did not, however, guarantee the autonomy of the islands as against any third power, nor did it contain any expression of opinion on that point similar in spirit to Mr. Webster's declaration of the preceding December. Its intention seems to have been simply reciprocally to bind those two powers to do one thing—that is, "to consider the Sandwich Islands as an independent state"—and to refrain from doing another thing—that is, "never to take possession," under any pretext, "of any part of the territory of which they are composed."

In consequence of the recommendation contained in the message of President Tyler, of December 30, 1842, Congress made an appropriation for the compensation of a diplomatic officer from this Government to the Sandwich Islands, and on March 3, 1843, Mr. George Brown, of Massachusetts, was appointed commissioner. Mr. Brown arrived at Honolulu in October following, and, on the 30th of that month, presented his credentials, with an address to the King, in which he asked in behalf of the citizens of the United States favorable and impartial treatment, at the same time assuring the monarch that this Government had no wish to secure for itself or its citizens any exclusive privileges. The King, answering, said upon this point:

You may assure your Government that I shall always consider the citizens of the United States as entitled to equal privileges with those of the most favored nation. (Appendix.)

Unfortunately, soon after Mr. Brown's arrival—by the latter part of the following August—a cause of serious difference arose between him and the King's Government in the case of John Wiley, an American citizen, who had been arrested charged with the commission of a crime or misdemeanor, and to whom trial by jury had been denied by the local governor.

The treaty with France, above alluded to as secured by Capt. Laplace at the mouth of his guns, contained a stipulation (Article VI) that—

No Frenchman accused of any crime whatever shall be judged otherwise than by a jury composed of foreign residents, proposed by the consul of France and accepted by the Government of the Sandwich Islands.

On the 12th of February, 1844, a convention with Great Britain had been entered into by the King's Government which contained (Article III) the same provision in identical phrase, *mutatis mutandis*. This treaty had been secured very much after the fashion observed by Laplace. Within less than one year before its signature the islands had been seized by Great Britain and had been adequately advised of the power of England. The King's embassy was still absent, and the newly arrived British consul-general had communicated the fact that he was without discretion to alter terms. The treaty was itself, in still other respects, objectionable to the American commissioner by reason of apparent discrimination in favor of England and against the United States, and it had already been the subject of an earnest protest on his part. And now, there being no treaty with the United States, the King's promise made in his speech to that commissioner, as he understood it, had been ignored by advice of the attorney-general—an American citizen—a lawyer of New York, of the name of John Ricord, who had been invited to

accept the office and had gone to Hawaii and there become naturalized for the purpose. The dispute over the treaty and the Wiley case together created a situation of affairs that resulted in a request from the King for the recall of Mr. Brown (whose conduct was, however, approved by this Government) and the appointment of Mr. Ten Eyck. (Appendix.)

But in the meantime, on the 6th of July, 1844, the King's commissioners, having returned to this country from Europe, received a communication from Mr. Calhoun confirming the "full recognition on the part of the United States of the independence of the Hawaiian Government." They left for Honolulu in November.

On March 26, 1846, two general conventions were entered into—one by France, the other by Great Britain—identical in terms and equally to be substituted for all preëxisting agreements made by those Governments with the King. These conventions modified the jury clauses and Article VI of the Laplace treaty, governing the importation of intoxicating liquors. Juries were to be composed of native or foreign residents proposed by the consul (English or French) and accepted by the Hawaiian Government, and duties were allowed within the prohibitory limit upon ardent spirits. These conventions do not, however, seem to have recognized the complete independence of the King. (Appendix.)

On the 19th of the following October a treaty with Denmark was concluded at Honolulu, containing the favored-nation clause; and this compact appears to be the first of its kind conveying unrestricted and ample acknowledgment of Hawaiian independence. (Appendix.)

Mr. Ten Eyck's instructions had included a charge to negotiate a treaty upon the basis of that existing between the Government of the islands and Great Britain at the time of his appointment. The unacceptability of the jury clause in that instrument and the desire of the Hawaiian King to secure its modification rendered it unwise to insist upon a similar article in any new convention. The authority of Mr. Ten Eyck had not been limited to the negotiation of an identical agreement, and he seems therefore to have persisted unwisely in urging the inclusion of the objectionable provision. This error was pointed out to him by Mr. Buchanan in an instruction of June 18, 1847, but seemingly without result. Much correspondence occurred between the King's minister and the American commissioner, and several projects of treaties were ineffectually submitted by the latter. Pending these negotiations the disadvantageous position of the United States, in the absence of a treaty, was emphasized by each new agreement successfully negotiated by other governments. Meanwhile the commissioner became indiscreetly (with American claimants) involved in serious differences of opinion with the Government of Hawaii, respecting the rights of American residents, and his attitude became finally one of hostility. There was the repetition of the old story, told so many times in such quarters of the globe, personal and commercial difficulties involving consuls and diplomatic agents alike, conflicting interests among foreigners of two or three nationalities, rival factions, complicated quarrels, and, so far as practicable, general disregard of native rights by each and all. Mr. Ten Eyck was roundly rated by Mr. Buchanan in an interesting dispatch of considerable length and some tartness, dated August 28, 1848, from which there will be occasion to make several extracts. Mr. Ten Eyck resigned in September, 1848, and Mr. Charles Eames was appointed January 12, 1849. (Appendix.)

On the 8th of January, 1848, a treaty with Hamburg was concluded by the King's minister for foreign affairs, and later in the month an

agreement touching consular notices under the Danish and Hamburg treaties was reached. But it was not until October 22, 1849, that a treaty with this Government was finally signed at San Francisco by Mr. Eames and Mr. Judd. (Appendix.)

Mr. Eames, en route to Honolulu, had met Mr. Judd, the King's commissioner, en route to Washington, at San Francisco, and there together they had agreed upon an instrument of a general character. The treaty, in the English and Hawaiian languages, reached the Department of State on the 8th of December. But, in the meantime, the Hawaiian Government had appointed Mr. James Jackson Jarves, then in this country, a special commissioner to negotiate a treaty, and he met Mr. Clayton, appointed on behalf of the United States, at Washington in the same month. They agreed upon terms and signed a treaty of friendship, commerce, and navigation, and for extradition of criminals, December 20, 1849. Ratifications were exchanged at Honolulu the 24th of August, following, and the treaty was proclaimed—the first perfected treaty between the two powers—November 9, 1850.

This convention did not differ materially from the treaties negotiated by this Government with other nations for similar purposes. The treaty is still in force except so far as modified by later conventions. (Appendix.)

In 1849 disputes between the French consul and the native authorities respecting the convention of 1846 brought about another seizure of the islands by the armed forces of France, which became the occasion of the dispatch of very explicit instructions from the American Secretary of State. After a preliminary diplomatic skirmish between the French naval commander, Admiral de Tromelin, and the King's minister for foreign affairs, Mr. Wyllie, the admiral formulated his demands in an ultimatum, and upon its nonacceptance the naval force under his command, on the 25th of August, 1849, took military possession of the fort, the Government offices, and of the custom-house, and seized the King's royal yacht and several other vessels belonging to private persons. Official news of this proceeding reached the United States December 10, 1849, from Mr. Ten Eyck. (Appendix.)

The French continued in possession of the fort and public buildings until the 4th or 5th of September, dismantled the fort, and destroyed considerable public property, but did not haul down the Hawaiian flag. Upon the exercise of this restraint they depended for the argument that they had not acted in contravention of the agreement with England of 1843. (Appendix.)

Mr. Judd was appointed by the King as commissioner to England, France, and the United States, it appears, with pretty full powers to make some adjustment of this last difficulty. It was rumored that he was not limited even from cession of the kingdom either to England or the United States. His negotiations with the French minister for foreign affairs having proved fruitless he reached the United States on his way home in the spring of 1850, and in conjunction with Mr. Jarves solicited the good offices of this Government in the settlement of the dispute with France. They were promptly accorded by the President, through the Secretary of State, in a note of June 3, 1850, and instructions in conformity therewith were sent to Mr. Rives at Paris. Negotiations dragged and chances of settlement seemed to recede until on the 11th of March, 1851, Mr. Severance, the commissioner of the United States at Honolulu, reported the fact that a deed of cession of the kingdom to the United States had been drawn, submitted to him, sealed, and delivered to him on the afternoon of the same day by two of the

King's ministers. This instrument was the consequence of the King's apprehension excited by the hostile attitude of France. It bore the following inscription in the Hawaiian language:

The King requests the commissioner of the United States, in case the flag of the United States is raised above the Hawaiian, that he will open the inclosed and act accordingly.

The terms of this deed provided that the kingdom should be held by the United States until a satisfactory adjustment of the dispute with France, and, failing that end within a reasonable period, should be permanently transferred to them. (Appendix.)

Answering Mr. Severance's series of dispatches on this subject, Mr. Webster, on the 14th of July, 1851, said:

The Navy Department will receive instructions to place and to keep the naval armament of the United States in the Pacific Ocean in such a state of strength and preparation as shall be requisite for the preservation of the honor and dignity of the United States and the safety of the Government of the Hawaiian Islands.

In a confidential dispatch of the same date Mr. Severance was directed to return to the Hawaiian Government the deed of cession placed in his hands. (Appendix.)

The subject of annexation was not, however, abandoned in the correspondence by reason of Mr. Webster's dispatch. Mr. Marcy, writing to Mr. Gregg, then United States commissioner there, on the 4th of April, 1854, discussed the question fully, and authorized the negotiation of a treaty for the purpose, the terms of which he indicated. On the 11th November following, a draft of a treaty acceptable to the King was received with Mr. Gregg's dispatch No. 52 of September 15, 1854. (Appendix.)

Stipulations were drawn in this treaty for annuities aggregating three times the sum offered for that purpose by Mr. Marcy, and for the admission of the Kingdom as a State of the Union. These provisions were objected to by this Government, but before any conclusion was reached the King, Kamehameha III, died, and was succeeded in February, 1855, by a prince who held views unfavorable to the project, and so the treaty failed. (Appendix.)

In 1855, on the 20th of July, a treaty of reciprocity was concluded at Washington by Mr. Marcy and Judge Lee, the King's commissioner; but, although the Senate Committee on Foreign Affairs appears to have been favorable to it, ratification failed, it is said, by reason of the pressure of more important and absorbing questions. (Appendix.)

Correspondence for several years following this incident is chiefly concerned with claims, complaints, and matters of routine. In 1863 the rank of the diplomatic officer of this Government was raised to that of minister resident, and James McBride, of Oregon, was appointed to that office. The conduct of the civil war so far diverted attention from Hawaiian affairs that consideration of the subject of a desired treaty of reciprocity was obliged, by Mr. Seward's engagements, to be deferred to a more tranquil period, and until the results of English and Southern influence there, exerted during the civil war in the United States against this Government, should be overcome. There are occasional references to annexation. (Appendix.)

In December, 1866, Queen Emma, queen dowager of Hawaii, visited the United States on her way from England to Honolulu.

On the 1st of February, 1867, Mr. McCook, our minister at Honolulu, was instructed that it was the desire to revive the subject of the reciprocity treaty of 1855, but upon terms more liberal to the United

States. Accordingly, on the 21st of May following, Mr. McCook, on behalf of the United States, and Mr. Harris, on the part of the Hawaiian Government, concluded a treaty of reciprocity at San Francisco, which received the approval of the President, but failed of ratification by the Senate. (Appendix.)

In a private note of June 7, 1867, Mr. McCook adverted to the subject of annexation, and asked leave of absence to visit the United States the following November, when the reciprocity treaty might be expected to become the subject of consideration in the Senate. This leave was granted by Mr. Seward, who thus instructed Mr. McCook:

You are at liberty to sound the proper authority on the large subject mentioned in your note, and ascertain probable conditions. You may confidentially receive overtures and communicate the same to me.

I will act upon your suggestion in that relation in regard to a party now here.

Mr. Seward's "large subject" was annexation, and Mr. Seward's "party now here" was the Hawaiian minister to this country, Mr. C. C. Harris. (Appendix.)

It is probable that a conference was held on the subject by Mr. Seward and Mr. Harris, but notes of it do not appear. On the 12th of September, however, Mr. Seward, writing confidentially to Mr. McCook, said:

Circumstances have transpired here which induce a belief that a strong interest, based upon a desire for annexation of the Sandwich Islands, will be active in opposing a ratification of the reciprocity treaty. It will be argued that the reciprocity will tend to hinder and defeat an early annexation, to which the people of the Sandwich Islands are supposed to be now strongly inclined.

He advised the minister to remain at Honolulu and abandon his earlier plan to visit Washington, and he added—

That if the policy of annexation should conflict with the policy of reciprocity, annexation is in every case to be preferred. (Appendix.)

During the spring and summer of 1867 some apprehension was created in the mind of the King by the presence in Hawaiian waters of the U. S. S. *Lackawanna*, Capt. Reynolds. This was based upon the fact that the commanding officer had been formerly a resident in Hawaii and was interfering, or had the purpose to interfere, in political affairs. It is not impossible that the King's minister for foreign affairs, de Varigny, was really responsible for the royal apprehensions. The presence of the ship delayed ratification of reciprocity, and it was not until after her departure that the King convened the legislature to consider the subject.

His Majesty stated to me [writes Mr. McCook] that he would like to discuss its [the treaty's] provisions with me, but did not deem it consistent with his dignity, etc., to enter into any such discussion while the *Lackawanna* remained here; I will do His Majesty the justice to say that I do not believe this idea was an original one, but was suggested to, and forced upon him by his ministers, they hoping that the *Lackawanna* could not, or would not leave, and that this might prove an insuperable obstacle to the ratification of the treaty. (Appendix.)

The treaty was ratified July 30, 1867. Our own Senate had received the treaty early the same month; it was reported in February, 1868, but was not finally acted upon until June 1st, 1870, when it was rejected. (Appendix.)

Very soon after his ratification of the reciprocity treaty the King sent a commissioner to Japan to negotiate a commercial treaty. This project the American minister at Honolulu earnestly antagonized, upon the ground that such a treaty would deflect trade from the United States and encourage English competition. (Appendix.)

A second time inviting the attention of the Senate to our own compact with Hawaii, President Johnson said, December 9, 1868:

It is known and felt by the Hawaiian Government and people that their Government and institutions are feeble and precarious; that the United States, being so near a neighbor, would be unwilling to see the islands pass under foreign control. Their prosperity is continually disturbed by expectations and alarms of unfriendly political proceedings, as well from the United States as from other foreign powers. A reciprocity treaty, while it could not materially diminish the revenues of the United States, would be a guaranty of the goodwill and forbearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union. (Appendix.)

During the last mentioned year the subject of annexation continued to appear as an important feature of the correspondence from time to time, and on April 14 a letter to Mr. R. P. Spaulding, a member of Congress, from his son, Mr. Z. S. Spaulding, in charge of the United States legation, reported the projected organization of an active annexation party in Honolulu, and the prevalence of such a sentiment in the Kingdom. Mr. Seward was again obliged to defer immediate consideration of the subject by reason of the administration's absorption in domestic affairs relating to reconstruction. (Appendix.)

In 1868 a remonstrance was made by the United States representative at Honolulu on the subject of the importation of coolies into the islands, and a resolution of the Senate of the United States, describing the traffic in human beings, already substantially extirpated, as abhorrent to the spirit of modern international law and policy, and to the advanced sentiment of the great civilized powers, was brought to the attention of the Hawaiian Government. This intervention, however, was not effectual to stop or even moderate the business in the face of British and other influences, and the trade continued a threatening danger to the Kingdom. (Appendix.)

In February, 1871, Mr. Pierce, our minister at Honolulu, wrote recommending the subject of annexation to the attention of the President, and President Grant transmitted this most interesting dispatch to the Senate, confidentially, with a message soliciting the views of that body upon the matter. This message and dispatch are of so much interest and importance that it is deemed best to present the executive document *in toto* in this place.

[Confidential. Executive B. Forty-second Congress first session.]

MESSAGE OF THE PRESIDENT OF THE UNITED STATES, TRANSMITTING A COPY OF A DISPATCH RELATIVE TO THE ANNEXATION OF THE HAWAIIAN ISLANDS, ADDRESSED TO THE DEPARTMENT OF STATE BY HENRY A. PIERCE, MINISTER RESIDENT OF THE UNITED STATES AT HONOLULU.

APRIL 7, 1871.—Read and, with the dispatch referred to the Committee on Foreign Relations, ordered to be printed in confidence for the use of the Senate.

To the Senate of the United States:

I transmit confidentially, for the information and consideration of the Senate, a copy of a dispatch of the 25th of February last, relative to the annexation of the Hawaiian Islands, addressed to the Department of State by Henry A. Pierce, minister resident of the United States at Honolulu. Although I do not deem it advisable to express any opinion or to make any recommendation in regard to the subject at this juncture, the views of the Senate, if it should be deemed proper to express them, would be very acceptable with reference to any future course which there might be a disposition to adopt.

U. S. GRANT.

WASHINGTON, April 5, 1871.

Mr. Pierce to Mr. Fish.

No. 101.] Legation of United States at Hawaiian Islands, Honolulu, February 25, 1871.

Mr. Henry A. Pierce to Secretary of State.

Subject: Annexation of the Hawaiian Islands to the territory of the United States.

Abstract: United States Government recommended to again consider the subject—Prevailing opinion thereon—The choice and will of Hawaiian people will be manifested on the death of their king, if approved of by the United States Government—Puritan and democratic tendencies of the Hawaiians—Fifteenth amendment, Constitution of the United States—Native population rapidly disappearing—Leaving their country to foreigners—Reasons given for the acquisition of these islands by United States—Lord Palmerston's opinions on the question—Sound and prophetic historical incidents in Hawaiian history.

No. 101.]

LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 25, 1871.

SIR: Impressed with the importance of the subject now presented for consideration, I beg leave to suggest the inquiry whether the period has not arrived making it proper, wise, and sagacious for the United States Government to again consider the project of annexing the Hawaiian Islands to the territory of the republic. That such is to be the political destiny of this archipelago seems a foregone conclusion in the opinion of all who have given attention to the subject in this country, the United States, England, France, and Germany.

A majority of the aborigines, creoles, and naturalized foreigners of this country, as I am credibly informed, are favorable, even anxious for the consummation of the measure named.

The event of the decease of the present sovereign of Hawaii, leaving no heirs or successor to the throne, and the consequent election to be made by the legislative assembly of a king, and new stirrings for a royal family, will produce a crisis in political affairs, which, it is thought will be availed of as a propitious occasion to inaugurate measures for annexation of the islands to the United States, the same to be effected as the manifest will and choice of the majority of the Hawaiian people; and through means proper, peaceful, and honorable.

It is evident, however, no steps will be taken to accomplish the object named without the proper sanction or approbation of the United States Government in approval thereof.

The Hawaiian people for fifty years have been under educational instruction of American missionaries, and the civilizing influences of New England people, commercial and maritime. Hence they are Puritan and democratic in their ideas and tendencies, modified by a tropical climate. Their favorite songs and airs are American. Sherman's "Marching Through Georgia" and "John Brown's Soul is Marching On," are daily heard in the streets and in their schoolrooms. The Fifteenth Amendment to the Constitution of the United States has made the project of annexation to our Union more popular than ever, both here and in the United States.

The native population is fast disappearing; the number existing is now estimated at 45,000, having decreased about 15,000 since the census of 1866. The number of foreigners in addition is between 5,000 and 6,000, two-thirds of whom are from the United States, and they own more than that proportion of foreign capital, as represented in the agriculture, commerce, navigation, and whale fisheries of the kingdom.

This country and sovereignty will soon be left to the possession of foreigners, "to unlineal hands, no sons of theirs succeeding." To what foreign nation shall these islands belong if not to the great Republic? At the present those of foreign nationalities hold all the important offices of Government and control legislation, the judiciary, etc. Well disposed as the Government now is toward the United States and its resident citizens here, in course of time it may be otherwise, as was the case during our civil war.

I now proceed to state some points of a more general character, which should influence the United States Government in their decision of the policy of acquiring possession of this archipelago, their geographical position occupying, as it does, an important central, strategical point, in the North Pacific Ocean, valuable, perhaps necessary, to the United States for a naval depot and coaling station, and to shelter and protect our commerce and navigation, which in this hemisphere is destined to increase enormously from our intercourse with the 500,000,000 population of China, Japan, and Australia. Humbolt predicted that the commerce on the Pacific would, in time, rival that on the Atlantic. A future generation, no doubt, will see the prophecy fulfilled.

The immense injury inflicted on American navigation and commerce by Great Britain in the war of 1812-1814, through her possessions of Bermuda and other West

India Islands, as also that suffered by the English from French privateers from the Isle of France, during the wars between those nations, are instances in proof of the necessity of anticipating and preventing, when we can, similar evils that may issue from these islands if held by other powers. Their proximity to the Pacific States of the Union, fine climate and soil, and tropical productions of sugar, coffee, rice, fruits, hides, goat-skins, salt, cotton, fine wool, etc., required by the West, in exchange for flour, grain, lumber, shooks, and manufactures of cotton, wool, iron, and other articles, are evidence of the commercial value of one to the other region.

Is it probable that any European power who may hereafter be at war with the United States will refrain from taking possession of this weak Kingdom, in view of the great injury that could be done to our commerce through their acquisition of them?

It is said that at a proper time the United States may have the sovereignty of these islands without money and without price, except, perhaps for purchase of the Crown and public lands, and moderate annuities to be given to the five or six high chiefs now living with uncertain claims as successors to the Crown.

His Hawaiian Majesty, although only in his forty-first year, is liable to a sudden decease, owing to frequent attacks of difficulty in breathing and danger of suffocation from congestion caused by obesity. His weight is 300 pounds. He is sole survivor of the royal race of Kamehameha; unmarried, no heir, natural or adopted; possesses the constitutional prerogative of naming his successor, but it is believed he will not exercise it, from a superstitious belief his own death would follow immediately the act.

Prince Alexander and Lott Kamehameha (the former subsequently became the fourth Hawaiian King and the latter the fifth) and Dr. G. P. Judd, my informant, visited England in 1850 as Hawaiian commissioners.

Lord Palmerston, at their interview with him, said, in substance, "that the British Government desired the Hawaiian people to maintain proper government and preserve national independence. If they were unable to do so, he recommended receiving a protectorate government under the United States or by becoming an integral part of that nation. Such," he thought, "was the destiny of the Hawaiian Islands arising from their proximity to the States of California and Oregon, and natural dependence on those markets for exports and imports, together with probable extinction of the Hawaiian aboriginal population and its substitution by immigration from the United States." That advice seems sound and prophetic.

The following historical events in relation to these islands are thought worthy of revival in recollection:

February 25, 1843.—Lord George Paulet, of Her Britannic Majesty's ship *Carysfort*, obtained, by forceful measures, cession of the Hawaiian Islands to the Government of Great Britain, July 31, 1843. They were restored to their original sovereignty by the British Admiral Thomas.

November 28, 1843.—Joint convention of the English and French Governments, which acknowledged the independence of this archipelago, and reciprocally promised never to take possession of any part of same. The United States Government was invited to be a party to the above, but declined.

August, 1849.—Admiral Tromelin, with a French naval force, after making demands on the Hawaiian Government impossible to be complied with, took unresisted possession of the fort and Government buildings in Honolulu, and blockaded the harbor. After a few weeks' occupation of the place, the French departed, leaving political affairs as they were previous to their arrival.

January, 1851.—A French naval force again appeared at Honolulu, and threatened bombardment and destruction of the town.

The King, Kamehameha III, with the government, fearing it would be carried into effect, and in mortal dread of being brought under French rule, similar to that placed by the latter over Tahiti, of the Society Islands, executed a deed of cession of all the Hawaiian Islands and their sovereignty forever in favor of the United States of America.

The document, in a sealed envelope, was placed in charge of Mr. Severance, United States commissioner here, with instructions to take formal official possession of the soil of these islands on occasion of the first hostile shot fired by the French. On learning the facts, the latter desisted further aggressive acts, and departed from the country.

Since that period the French authorities have pursued a conciliatory course in their relations with the Hawaiian Government, and fully of opinion, it is said, that a secret treaty exists between the United States Government and that of Hawaii, by which these islands pass into the possession of the former in case of aggressions made upon them thereafter by any hostile powers.

In 1854 the administration of President Pierce authorized the United States commissioner, Mr. Gregg, to negotiate a treaty with the Hawaiian authorities for the cession of the sovereignty of these islands to the United States; but Mr. Gregg suc-

ceeded only in obtaining a protocol for a treaty, by which the United States were to extend a protectorate government over them. The matter in that form did not meet with the approval of Mr. Secretary Marcy, and further negotiations ceased.

I omitted to state in proper sequence that the deed of cession of 1851 was, by order of the Secretary of State, Mr. Webster, returned to the Hawaiian Government.

In conclusion, I herewith inclose "Annual Review of the Agriculture and Commerce of the Hawaiian Islands for the year 1870," published by the Pacific Commercial Advertiser, February 25, 1871. Additional copies will accompany my dispatch No. 102. Permit me to refer you to a lithographic map, published in 1867 by United States Bureau of Statistics, as showing in convenient form the relative position of these islands to the continents of America, Asia, etc.; also, steamship lines radiating therefrom.

With great respect, your obedient, humble servant,

HENRY A. PIERCE.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.

The failure from time to time to solve their difficulties by annexation served to continue a lively consideration of the subject of reciprocity as the second best solution; but the growing interests of the sugar States during nearly all of the first decade after the civil war were of sufficient influence to obstruct successfully any favorable consideration of such a treaty by this Government. The situation was frankly stated by Mr. Fish in an instruction of considerable length and importance on the 25th of March, 1873, in which, turning from reciprocity to annexation, always a question "full of interest," he said:

The position of the Sandwich Islands as an outpost fronting and commanding the whole of our possessions on the Pacific Ocean, gives to the future of those islands a peculiar interest to the Government and people of the United States. It is very clear that this Government can not be expected to assent to their transfer from their present control to that of any powerful maritime or commercial nation. Such transfer to a maritime power would threaten a military surveillance in the Pacific similar to that which Bermuda has afforded in the Atlantic—the latter has been submitted to from necessity, inasmuch as it was congenital with our Government—but we desire no additional similar outposts in the hands of those who may at some future time use them to our disadvantage.

The condition of the Government of Hawaii and its evident tendency to decay and dissolution force upon us the earnest consideration of its future—possibly its near future.

There seems to be a strong desire on the part of many persons in the islands, representing large interests and great wealth, to become annexed to the United States. And while there are, as I have already said, many and influential persons in this country who question the policy of any insular acquisitions, perhaps even of any extension of territorial limits, there are also those of influence and of wise foresight who see a future that must extend the jurisdiction and the limits of this nation, and that will require a resting spot in the midocean, between the Pacific coast and the vast domains of Asia, which are now opening to commerce and Christian civilization.

We are not in possession of information sufficiently accurate, and possibly not sufficiently extended, with respect to the population, trade, industry, resources, and debt, etc., of the Hawaiian Islands to decide the policy which must soon be considered with respect to the relations they are to maintain toward this Government.

You will, therefore, at the earliest date practicable, furnish me with full and accurate information upon the several questions above alluded to, and also as to the relative condition of the islands at this time, with respect to each question as compared with former periods.

If there be official documents or reports as to trade, population, debt, etc., you will obtain and transmit them.

Should occasion offer, you will, without committing the Government to any line of policy, not discourage the feeling which may exist in favor of annexation to the United States; and you will cautiously and prudently avail of any opportunity that may present of ascertaining the views of the Hawaiian authorities on this question, and if there be any idea entertained in that direction among those in official position, you will endeavor to sound them and ascertain their views as to the manner, and the terms and conditions on which such project could be carried into execution.

On the 3d of February, 1874, the King, Lunalilo, died without having named his successor, and the legislative assembly, called together by

the cabinet, proceeded to the election of a monarch. The excitement incident to this event, the threats of violence by the contending factions of the populace, and the danger of revolution or anarchy required the intervention of the naval forces of foreign powers in Hawaiian waters, the militia being unreliable in the circumstances. The British commissioner had invited the American minister to join him in effecting measures to preserve order, but this invitation was very properly declined by Mr. Pierce. On the 12th, in consequence of an assault by a mob of Queen Emma's adherents on the legislative committee attempting to announce to David Kalakaua his election to the throne, and an attack upon the Government buildings, the Hawaiian minister for foreign affairs appealed to Mr. Pierce to secure the landing of a sufficient force from the United States ships *Tuscarora* and *Portsmouth* to defend the authorities and suppress the rioters. The force was landed, at the request of the American representative, and placed in charge of the court-house.

Shortly after—within a few minutes—a force of sailors and marines from H. B. M. S. *Tenidos* went ashore under command of the executive officer of the vessel and the captain of the marines, without invitation from the Hawaiian authorities or orders from the commanding officers of their ship. They proceeded to disperse the lawless crowd about the residence of Queen Emma—the rival of Kalakaua for the throne—and thence marched to occupy the barracks, where they remained for eight days. This incident was afterwards accommodated by an antedated note, formally requesting their intervention. On the 20th these naval forces returned on board their respective vessels. (Appendix.)

In the autumn of 1874 King Kalakaua visited the United States on the U. S. S. *Benicia*, and, remaining several weeks, was during that time shown many friendly attentions by this Government. The U. S. S. *Pensacola* was placed at his disposal for the homeward voyage. One of the principal objects of this visit was the desire of the King to promote negotiations of reciprocity with the United States. It is noteworthy that this visit of the King was opposed by the English and French commissioners, as reported by Mr. Pierce October 12, 1874. (Appendix.)

The King before leaving Hawaii had appointed Mr. Allen and Mr. Carter commissioners to negotiate a reciprocity agreement, and, greatly to the delight of his people, the treaty was signed at Washington January 30, 1875. It contained a schedule which, to be made effective, required an act of Congress in ratification of the customs dues fixed thereby, and a proclamation of the fact. The treaty went into effect by this proclamation September 9, 1876. (Appendix.)

Some difficulty was encountered with Great Britain by reason of the "parity" or "favored nation" clause in the treaty of 1852 between that power and Hawaii; and Germany was also at first disposed to take a view similar to the English in that respect. But the German claim was successfully contested by Mr. Carter, appointed to arrange the matter with those two Governments, and the construction given that clause by the United States agreed to substantially. Much correspondence followed the expression of England's views on the subject, and a compromise was proposed fixing a duty of 10 per centum on British importations of the articles in the free schedule of our treaty. This proposition was not accepted by Mr. Carter, and was withdrawn; but in the discussion of the matter in the Hawaiian Legislature a majority of the committee on foreign relations reported not only in its favor, but

in favor of the original claim of the British Government to the enjoyment of privileges equal to those granted the United States. The controversy led to a change of ministry, and finally to an admission by the King's minister of the claim of this Government to exclusive privileges, and a pledge to hold the treaty, so interpreted, inviolate. This episode involved an "annexation scare" as against the United States, touching which Mr. Evarts thus instructed our minister, Mr. Comly, August 6, 1878:

You will endeavor to disabuse the minds of those who impute to the United States any idea of further projects beyond the present treaty. (Appendix.)

From time to time during the ensuing three years questions of interpretation of articles on the schedule and of the customs provisions of the treaty, and some involving attempted or apprehended frauds arose, several of them complicated by claims of Great Britain under the stipulations of the Anglo-Hawaiian treaty of 1852, and by the influence of British residents. All these questions were, however, satisfactorily determined without resort to any other mode of arrangement than the usual diplomatic method, by notes. A domestic scandal, involving almost the entire Government, followed, resulting in rapid changes of ministers and a hasty request for the recall of foreign representatives, including Mr. Comly. This request was, however, itself recalled promptly after the last change of cabinet on account of this particular crisis, and a more agreeable state of affairs brought about. The details of these incidents are, however, hardly worthy of any notice, as they serve chiefly to establish the disreputable character of certain of the King's advisers at the time, to verify charges of general corruption in the legislature, and point to influences at work against an extension of our reciprocity treaty.*

The same year the good offices of this Government were solicited by the Hawaiian Evangelical Association, in the suppression of the liquor traffic, by the enforcement of Chief Lebon's ordinance in the Ralik Islands. Mr. Evarts, on November 13, 1880, instructed Mr. Comly, and Mr. Dawson, the United States consul at Apia, also, to make efforts to secure some suitable person to act as consular agent of this Government in the Raliks. (Appendix.)

The good offices of this Government were enlisted also in the negotiation of a treaty between Hawaii and Japan, and its approval of such a convention sought by the king's minister for foreign affairs.

In June, 1881, Mr. Comly reported the persistent effort of Great Britain to derive benefit or advantage from the parity clause of the Anglo-Hawaiian treaty of 1852, through the reciprocity treaty with the United States, by way of pushing claims based upon that clause pending its termination by notification. He wrote:

I do not propose to trouble the Secretary of State with a repetition of my arguments intended to show the inadmissible character of this claim, and showing also that in 1855, when a reciprocal treaty with the United States was pending, the then British Commissioner here (Gen. Miller), acting under direct instructions from Lord Clarendon, literally "gave away" the whole case as to this present claim. He says: "Great Britain can not, as a matter of right, claim the same advantages for her trade, under the strict letter of the treaty of 1852." (Quoted more at length and in his own words in my dispatch No. 13.)

For the convenience of the Secretary of State I present a brief itinerary of the progress of this claim up to date, as I understand it:

1. Immediately after the reciprocity treaty went into effect, Maj. Wodehouse, the British Commissioner, peremptorily notified the Hawaiian Government that "Her Majesty's Government can not allow of" any discrimination against British products

* See Mr. Comly's 113, 121, and 122; and Mr. Evart's 76 and 78.

as in favor of American, and that British importers would claim under their treaty, for British products, equality with American products, under the American reciprocity treaty. A long diplomatic correspondence followed, in which I was frequently consulted in a friendly way by the Hawaiian minister, and was notified from time to time by Maj. Wodehouse of his proceedings. I have uniformly insisted that it would be a violation of the reciprocity treaty to allow the same privileges to British or any other products with those of the United States—privileges purchased by reciprocity advantages beyond the power of any other nation to concede. I have also insisted that it would amount to a violation of the sovereignty of this Kingdom for Great Britain to assume to dictate to the Hawaiian Government what differential rate of customs should be levied upon British goods as compared with those of other countries, taxation being an incident of sovereignty.

2. Finding that the British Government insisted upon its claim, the Hawaiian Government gave one year's notice (under the seventeenth article), terminating the fourth, fifth, and sixth articles of the Anglo-Hawaiian treaty of 1851-'52. (This would take effect July 3, 1878.)

3. This was resented by the British Government as "unfriendly" action.

4. Mr. Henry A. P. Carter was sent as Hawaiian envoy to England to settle the dispute. Major Wodehouse, alarmed by threats of annexation to the United States rather than submit to the demands of Great Britain, accompanied Mr. Carter to San Francisco, where he applied for and received telegraphic leave from Lord Derby to proceed to England with Mr. Carter.

5. In London Lord Derby proposed to Mr. Carter that England would drop the whole matter if the Hawaiian Government would withdraw its denunciation of the fourth, fifth, and sixth articles, and would attach the free schedule of the American treaty to an agreement that none of the articles in that schedule should be taxed more than 10 per cent if British product rejected. (My dispatch No. 43 is full on this and subsequent points.)

6. The notice of discontinuance was withdrawn as to all but first paragraph of fourth article.

7. In legislative assembly of 1878, a large and noisy party of British sympathizers attacked the Government severely and threatened the reciprocity treaty so seriously that I wrote a note of warning and protest to the minister of foreign affairs (appears as inclosure No. 4 with my dispatch No. 43) which was subsequently approved by Mr. Evarts Secretary of State.

8. The Hawaiian treaty was amended substantially as suggested by Lord Derby (10 per cent ad valorem horizontal). It was supposed that this would end the matter of the British Claims, but

9. About the beginning of the present year, Mr. Theo. H. Davies, acting British consul-general, a merchant doing large business here and one of the claimants, wrote (unofficially) to the minister of finance on behalf of the claimants, demanding a refund of duties paid under protest pending the termination of the first clause in the fourth article of the British treaty.

10. The minister of finance referred the claimants to the Hawaiian courts.

11. The British commissioner then made official demand for diplomatic (executive) settlement.

12. The Hawaiian minister informed Major Wodehouse that he would lay the matter before cabinet council.

The minister of foreign affairs informed Major Wodehouse that the action of the minister of finance was sustained by cabinet council, and that the claimants were remanded to the courts accordingly.

14. Major Wodehouse replied that he could not accept that form and would report to his Government for further instructions.

15. The Hawaiian minister wrote a brief note, simply acknowledging Major Wodehouse's note without comment.

16. Major Wodehouse wrote a severe reply, complaining that the Hawaiian minister had omitted to say that he would give due consideration to Major Wodehouse's note, or words to that effect.

17. I am informed by a member of the cabinet that the minister (Mr. Green) will make a brief and dignified protest against the tone of Major Wodehouse's note, and will say (substantially) that, Major W. having been already fully notified that the matter had been considered by His Majesty's Government and the claimants referred to the courts, and he himself having notified the Hawaiian Government that he had referred the matter to the British secretary, then, in that case, there was nothing further to consider at present, and Major Wodehouse's complaint was without foundation.

Here the matter rests.

This dispatch drew from Mr. Blaine, June 30, 1881, an explicit instruction setting forth the views of this Government as to the impossi-

bility of a grant by the Hawaiian Government of any of the privileges exclusively given the United States by the treaty of 1875 without a violation of that treaty. He said:

You will add that, if any other power should deem it proper to employ undue influence upon the Hawaiian Government to persuade or compel action in derogation of this treaty, the Government of the United States will not be unobservant of its rights and interests and will be neither unwilling nor unprepared to support the Hawaiian Government in the faithful discharge of its treaty obligations. (Appendix.)

The revival of the subject of coolie immigration from British India and an expression of the views of the British commissioner at Honolulu respecting the means by which such immigration should be promoted and such immigrants protected and controlled, together with a resuscitation, by Major Wodehouse, of the Lackawanna incident, and the adhesive character of the British claims arising from the reciprocity treaty, were together the moving cause of considerable correspondence designed to instruct the United States minister very fully respecting the established and continued policy of this Government. On December 1, 1881, Mr. Blaine said:

It [this Government] firmly believes that the position of the Hawaiian Islands as the key to the dominion of the American Pacific demands their benevolent neutrality, to which end it will earnestly coöperate with the native Government. And if, through any cause, the maintenance of such a position of benevolent neutrality should be found by Hawaii to be impracticable, this Government would then unhesitatingly meet the altered situation by seeking an avowedly American solution for the grave issues presented. (Appendix.)

In 1883 the Government of the United States was invited to concur in a protest by the Hawaiian Government against the extension of their respective territories by Great Britain and France in Polynesia, by annexation of the New Hebrides, the Solomon Islands, and adjacent groups. Mr. Frelinghuysen on December 6, 1883, declined to concur, because, as he wrote, "while we could not * * * view with complacency any movement tending to the extinction of the national life of the intimately connected commonwealths of the Northern Pacific, the attitude of this Government towards the distant outlying groups of Polynesia is necessarily different;" and he added that the President "does not regard the matter as one calling for the interposition of the United States, either to oppose or support the suggested measure." (Appendix.)

In the same year the reciprocity treaty between the United States and Hawaii reached the limit of its duration, subject to twelve months' notice from either power to the other of its desire to terminate the compact. Negotiations looking to the extension of this agreement were set on foot by the Hawaiian Government and the project was discussed in Congress and in the diplomatic correspondence with the ultimate result of a convention of renewal, etc., concluded December 6, 1884, at Washington, in three articles, of which Article I renewed the treaty for a period of seven years and Articles II and III provided, respectively:

ARTICLE II.

His Majesty the King of the Hawaiian Islands grants to the Government of the United States the exclusive right to enter the harbor of Pearl River, in the Island of Oahu, and to establish and maintain there a coaling and repair station for the use of vessels of the United States, and to that end the United States may improve the entrance to said harbor and do all other things needful to the purpose aforesaid.

ARTICLE III.

The present convention shall be ratified and the ratifications exchanged at Washington as soon as possible.

The convention was not however ratified and proclaimed until November, 1887, owing to considerable opposition to the extension of the original compact by the sugar interests of this country and further discussion of the subject in Congress. The extension of the treaty and the Pearl River Harbor cession were also opposed by Great Britain as the general policy of that Government. (Appendix.)

In May, 1873, Gen. Schofield, under confidential instructions from the Secretary of War, made a full report upon the value of Pearl River Harbor as a coaling and repair station, recommending its acquisition, and later he appeared before a committee of the House of Representatives to urge the importance of some measure looking to the control of the Sandwich Islands by the United States. (Appendix.)

The question of connecting the islands by cable with Australia and the United States was presented to this Government by our minister in August, 1884, by his report of proposals of the Australasian Cable Syndicate in relation to the laying of an ocean cable from Brisbane to San Francisco, via Honolulu. This syndicate secured the introduction and passage of an act by the Hawaiian legislature providing a subsidy of not more than \$20,000 for a period limited to fifteen years. Owing to the failure to secure landing privileges at San Francisco before 1886 this act was then amended so as to provide for the landing of the cable at any other port or place on the North American continent, presumably in the interest of the Canadian Pacific Railway Company's telegraphic system. While the sentiment in the islands favored a terminus in the United States, the project of Mr. Coote, a British subject, was a terminus in British Columbia. Further legislation on the subject drew from the British commissioner a protest against the granting of exclusive privileges to any persons for the landing of a cable from any British territory on any of the Hawaiian Islands and the assertion on the part of the King's Government of their right to control the matter as they believed best. In 1891-'92 a cable survey was made by the U. S. *S. Albatross*, of the Fish Commission, and lines of sounding were run from the Californian coast, Salinas Landing, Monterey Bay, to Honolulu.

In 1886 a bill was passed by the legislature and approved by the King to negotiate a loan of \$2,000,000 and pledge the revenues of the Kingdom for its repayment. An English syndicate had the matter in charge. Its objects were the liquidation of certain outstanding bonds and the prosecution of domestic improvements. The loan under such conditions was successfully opposed by this Government under the exclusive privileges granted the United States by the reciprocity treaty. (Appendix.)

Early in 1887 the subject of a proposed treaty of political alliance or confederation between the Hawaiian and Samoan Kings was brought to the attention of this Government with a view to its advice and its approval of the project; but Mr. Bayard pointed out the inexpediency of such a compact and withheld approval. (Appendix.)

On the 23d of December, 1887, the minister of Great Britain at Washington handed the following memorandum to Mr. Bayard:

WASHINGTON, December 23, 1887.

England and France by the convention of November 28, 1843, are bound to consider the Sandwich Islands as an independent state and never to take possession, either directly or under the title of a protectorate or any other form, of any part of the territory of which they are composed.

The best way to secure this object would, in the opinion of Her Majesty's Government, be that the powers chiefly interested in the trade of the Pacific should join in making a formal declaration similar to that of 1843 above alluded to, and that the

United States Government should, with England and Germany, guarantee the neutrality and equal accessibility of the islands and their harbors to the ships of all nations without preference.

To this communication Mr. Bayard replied:

PERSONAL.]

DEPARTMENT OF STATE,
Washington, February 15, 1888.

DEAR SIR LIONEL: After reading the memorandum of Lord Salisbury in relation to the Sandwich Islands, it does not occur to me that I can add anything to what I stated to you orally in our interview on the 23d of December last, when you first sent it to me.

I was glad to find that you quite understood and had conveyed to your Government the only significance and meaning of the Pearl Harbor concession by the Hawaiian Government, as provided in the late treaty of that Government with the United States, and that it contained nothing to impair the political sovereignty of Hawaii.

The existing treaties of the United States and Hawaii create, as you are aware, special and important reciprocities, to which the present material prosperity of Hawaii may be said to owe its existence, and by one of the articles the cession of any part of the Hawaiian territory to any other government without the consent of the United States is inhibited.

In view of such existing arrangements it does not seem needful for the United States to join with other governments in their guaranties to secure the neutrality of Hawaiian territory, nor to provide for that equal accessibility of all nations to those ports which now exists.

I am, etc.,

T. F. BAYARD.

The direct and immediate motive of Great Britain in this correspondence is not evident; but it is obviously to be discovered in certain closely anterior events, sufficiently well known at the time. But a little while before an understanding had been reached between England and Germany relative to a division of a great area of the Pacific Ocean; the attitude then lately assumed by this Government respecting Samoan affairs had perhaps been the cause of some surprise and, it may be, a little apprehension in this direction on the part of Her Majesty's Government, and the frankness with which we shall see the British consul-general in Hawaii cautioning the King's Government against any exclusive concession of a naval station to any foreign power is no less useful a key to the action of Sir Lionel West. The causes, then, of this step were complicated; jealousy of the United States led to the inclusion of this Government in a project for an agreement prompted by jealousy of Germany, and France was relegated to the convention of 1843 by force of more pressing circumstances.

While Mr. Bayard, in February, 1888, was writing his answer to Sir Lionel, the British commissioner at Honolulu, formally protested against the grant to the United States of the exclusive use of Pearl River Harbor as a coaling and repair station, by Article II of the supplementary convention extending our reciprocity treaty, and argued that the Hawaiian Government was estopped from this action by the provisions of Article II of the King's treaty with Great Britain, granting to vessels of war liberty of entry to all harbors to which such ships of other nations "are or may be permitted to come." And he said:

Under instructions from Her Majesty's Government I have already pointed out to the Government of His Hawaiian Majesty that the acquisition by a foreign power of a harbor, or preferential concession in the Hawaiian Islands, would infallibly lead to the loss of the independence of the islands; but this consideration has not prevented His Hawaiian Majesty's Government from proceeding to the ratification of the supplementary convention with the United States, and although Her Majesty's Government are informed that by an exchange of notes between the Hawaiian minister at Washington and Mr. Bayard it is declared that the article in question

(No. 11) does not subtract from Hawaiian jurisdiction; that it gives no right of property in the harbor or cession of territory; that no exclusive right is conferred commercially, and that it terminates with the original treaty of 1875, whenever notice of such a termination is given. (Appendix.)

The question was ably treated by the Hawaiian minister for foreign affairs, and the privileges granted this Government clearly defined. (Appendix.)

On the 30th of July, 1889, an insurrection was set on foot by Robert W. Wilcox and Robert Boyd, two half-caste Hawaiians, who, on the afternoon of the same day, together with their adherents, about 100 in number, were defeated. The ringleader, with about 60 of his followers, was imprisoned. About 70 sailors and marines from the U. S. S. *Adams*, then in the harbor, were landed by permission with a machine gun to protect life and property at the legation and in the city, and their appearance on the streets had a favorable effect on the populace. Remaining over night, quartered at the armory, they returned on board the next morning when tranquility was restored. (Appendix.)

A dispute between the King and the cabinet, of a constitutional scope, was decided by the supreme court, against the King, just after the attempt at revolution; and it was determined that his signature was subject to the direction of the cabinet whenever required on public documents, and that the Government in all its departments must be conducted by that council. This controversy received the attentive consideration of all the foreign representatives, and its termination, as recited, appears to have been accepted with general satisfaction.

On the 20th of March, 1890, Mr. Blaine wrote inviting the King of the Hawaiian Islands to participate in the International American Conference, then in session at Washington. This invitation was extended in pursuance of a resolution of Congress adopted upon the President's recommendation. In consequence of the adjournment of the Conference *sine die* before Mr. Carter, the delegate from Hawaii, could present his credentials, he did not participate in its deliberations. Upon Mr. Blaine's invitation, however, Mr. Carter, on the 28th of April, after the adjournment, announced his appointment as delegate and expressed his regret at its arrival too late to permit his attendance on the Conference; but at the same time signified the probable accession of his Government to its conclusions.

In December, 1890, Kalakaua, the King, arrived in the United States on a friendly visit, and died at San Francisco, January 20, 1891. His body was returned to Honolulu on board the U. S. S. *Charleston*, the flagship of Rear-Admiral Brown, which arrived in that harbor January 29; whereupon the Princess Liliuokalani, regent during the King's absence, was proclaimed Queen. (Appendix.)

Considerable doubt and fear seem to have prevailed with the better element of the people in regard to the course of the new Queen, as the matter is reported by Mr. Stevens. On the 22d of February, 1891, he wrote:

The present ministry has been but a few months in office and the best men of the islands, including nearly all the principal business men, wish the present ministry to remain, who, by the present constitution, are chiefly independent of the Crown, and can not be removed except by impeachment or by the votes of the legislature. Under her extreme notions of sovereignty and the influence of her bad advisers, the Queen is trying to force the resignation of the ministers and to get a cabinet composed of her tools. So far the ministers have refused to resign, and the best public opinion increases in their support. Should the supreme court sustain the right of the ministers, which is very clearly and strongly intrenched in the constitution, the ministers will be supported by such a united determination of the business men and other better citizens of the islands as will force the

Queen to yield. If she should still persist and attempt to form a ministry of her own, without the consent of the legislature, she will surely imperil her throne. She is well known to be much more stubborn in character than her brother, the late King, but my present belief is that she will finally yield to the legal and other legitimate forces operative against her present course and place herself in the hands of the conservative and respectable men of the country as the only way to retain her throne.

Early in the spring of 1891 the supreme court decided that the Cabinet of the late King ceased to have legal existence at his death. A new Cabinet was appointed which seemed to give general satisfaction and somewhat to allay earlier apprehensions touching the probable course of the Queen. Mr. Stevens, however, expressed some lack of faith in the minister of finance.

In September, 1891, Mr. Stevens wrote that the prince consort, husband of Queen Liliuokalani, a native of New York and strongly American in his sympathies, had died August 27, 1891.

At the same time the minister reported a project for a revision of the reciprocity treaty between this Government and Hawaii, prompted by the removal of the tariff on sugar, which materially, if not vitally, affected the principal interests of the islands. Late in 1891, Mr. Mott Smith was appointed a special envoy to the United States to negotiate such an agreement, and a legislature favorable to the treaty was elected in February, 1892.

In a confidential communication of March 8, 1892, Mr. Stevens reports revolutionary plans to be held in check solely by the presence of an United States naval vessel, and describes a very general sentiment of hostility to the succession of the "half English" heir to the throne—at the time being educated in England—and a growing inclination among all classes towards annexation to the United States. (Appendix.)

Mr. Stevens's dispatches continue to be of the same tenor. The subjection of the queen to the influences of a half-caste Tahitian of the name of Wilson, and marshal of the Kingdom, since soon after her accession, continued to excite considerable dissatisfaction, and revolutionary schemes were rife throughout the year. The attitude of the Queen and her immediate entourage was one of arrogance. Late in August or early in September the cabinet was voted out, and a deadlock followed between the Queen and the legislature. The new cabinet was objectionable to the better elements, but a vote of want of confidence sufficiently decisive to bring on the crisis was not secured until the 17th October. The minister said in his dispatch of October 19, 1892, on the situation—

My present impression is, that the Queen and her faction will have to yield. Otherwise the entire overthrow of the monarchy could not be long delayed.

In his No. 74, of November 20, Mr. Stevens gave a full statement of the financial, agricultural, social, and political condition of the islands, and said:

One of two courses seems to me absolutely necessary to be followed: Either bold and vigorous measures for annexation or a "customs union," an ocean cable from the Californian coast to Honolulu, Pearl Harbor perpetually ceded to the United States, with an implied but not necessarily stipulated American protectorate over the islands.

Reports to the Secretary of the Navy—especially those beginning with one from Rear-Admiral Brown, dated September 6, 1892—corroborated the American minister's accounts and forecasts of events in Hawaii until, on the 28th of January, telegraphic news was received from both sources of the accomplishment of a peaceful revolution at Honolulu and the dethronement of the Queen. (Appendix.)

The correspondence examined in the preparation of this report indicates the general policy of this Government towards the Hawaiian Islands to have been, from 1820 to 1893, one of close friendship and protection, prompted by a desire for the welfare and autonomy of the islands and a careful preservation of American rights and territory on this continent. The active intervention of foreign powers in the affairs of Hawaii is shown to have been uniformly regarded with distrust, and a determined attitude against it seems to have been frankly assumed whenever occasion called for an expression of purpose upon the subject from the United States. This view of the common interests of the two countries several times contemplated annexation as a necessity under apprehended foreign encroachment at Honolulu, and once, if not more than once, as the positive policy of this Government—notably in the administration of President Pierce.

Respectfully submitted.

ANDREW H. ALLEN,
Chief, Bureau of Rolls and Library.

[The narrative of events from the 17th of January, 1893, is continued in the report accompanying the President's message of February 15, 1893, sending to the Senate the treaty concluded and signed at Washington, February 14, 1893, by the Secretary of State of the United States and the representatives of the Provisional Government of the Hawaiian Islands.]

APPENDIX.

The time and assistance available in the preparation of the foregoing report and this appendix have not been sufficient to render a full presentation of the correspondence involved practicable here. The purpose of this supplement therefore is to give a general view of the progress of events and to submit copies of all papers of ascertained importance to a clear understanding and reinforcement of the narrative, except those published in the volumes of Foreign Relations of the United States and other volumes, to which reference is noted in a bibliographical paragraph.

It has been deemed neither necessary nor advisable to touch upon the subject of private claims of the citizens or subjects of either country against the government of the other, as none of the claims adverted to in the consular or diplomatic correspondence appears to have become at any time matter of special or separate negotiation or to have reached a position of adequate moment to demand any further action than the exercise of good offices by the diplomatic representative of the Government of the claimant.

Three unperfected treaties described in the correspondence are deposited in this Bureau, those of 1849, 1855, and 1867, respectively.

A considerable volume of correspondence upon Hawaiian relations will be found in the archives of the Navy Department, should it be regarded as desirable to examine letters of naval officers of the United States in support or elaboration of the consular and diplomatic letters given or referred to in the list of papers.

The present report and appendix bring the narrative down to the revolution of January 17, 1893, from which point it is continued in the report accompanying the President's message of February 15, 1893, sending to the Senate the treaty concluded and signed at Washington, February 14, 1893, by the Secretary of State of the United States and the representatives of the Provisional Government of the Hawaiian Islands.

A list of papers, chronologically arranged, follows, and is, in its turn, followed by a brief subject index for more convenient reference.

A. H. A.

BUREAU OF ROLLS AND LIBRARY, *February 14, 1893.*

LIST OF PAPERS.

[The arrangement is chronological.]

- Treaty of friendship, commerce, and navigation between the United States and the Sandwich Islands, signed at Honolulu, December 23, 1826.
 Letter to the Secretary of the Navy from Thomas ap Catesby Jones, December 25, 1826. Extract.
 Extract of letter to William Bolton Finch, U. S. S. *Vincennes*, January 20, 1829.
 Treaty between Great Britain and Hawaii of November 16, 1836, signed at Honolulu.
 Treaty between France and Hawaii, signed at Honolulu, July 12, 1839.
 Treaty between France and Hawaii, signed at Honolulu, July 17, 1839.
 Message of the President of December 31, 1842. (H. R. Ex. Doc. No. 35, Twenty-seventh Congress, third session.)
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 Commercial Agent William Hooper's, No. 23, March 11, 1843.
 Commercial Agent William Hooper's, No. 28, August 15, 1843.
 Mr. Webster to Mr. Brown, No. 7, March 15, 1843.
 Commercial Agent Hooper's No. 28, August 15, 1843.
 Mr. Brown to Mr. Webster, No. 5, October 26, 1843.
 Mr. Brown to Mr. Webster, No. 6, November 4, 1843.
 Declaration of Great Britain and France relating to independence of islands, London, November 28, 1843.
 Mr. Calhoun to Mr. Brown, No. 4, January 20, 1845.
 Treaty of peace, amity, and commerce between France and Hawaii, signed at Honolulu, March 26, 1846.
 Mr. Buchanan to Mr. Ten Eyck, August 28, 1848.
 Article 6, treaty with France of July 17, 1849.
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 Mr. Turrill to Mr. Clayton, No. 30, September 4, 1849.
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 Mr. Rives to Mr. Webster, No. 97, July 22, 1851.
 Mr. Rives to Mr. Seward, No. 109, October 30, 1851.
 Mr. Marcy to Mr. Mason, No. 3, December 16, 1853.
 Message of the President of March 3, 1854.
 Treaty of reciprocity, unperfected, 1855.

(Bureau of Rolls and Library, Department of State.)

- Mr. McBride to Mr. Seward, No. 9, October 9, 1863.
 Mr. Seward to Mr. McBride, No. 10, January 14, 1864.
 Message of the President, February 5, 1864.
 Mr. McBride to Mr. Seward, No. 37, September 16, 1864.
 Mr. McCook to Mr. Seward, No. 6, September 3, 1866.
 Mr. McCook to Mr. Seward, private, June 7, 1867.
 Mr. Seward to Mr. McCook, No. 33, July 13, 1867.
 Mr. McCook to Mr. Seward, No. 31, August 5, 1867.
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 Mr. Seward to Mr. McCook, No. 36, October 5, 1867.
 Mr. Seward to Mr. Spalding, No. 42, July 5, 1868.
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 Message of President Johnson, December 9, 1868.
 Mr. Z. S. Spalding to Mr. ——— Spalding, April 14, 1869.
 Mr. McCook and Mr. De Varigny, notes of conversations, September 14, 1869, and Mr. McCook and the King.
 Mr. Pierce to Mr. Fish, No. 189, February 7, 1873.
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 Mr. Pierce to Mr. Fish, No. 191, February 17, 1873.

- Gen. Schofield to Gen. Belknap, May 8, 1873.
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 Mr. Pierce to Mr. Fish, No. 243, February 17, 1874.
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 Mr. Frelinghuysen to Mr. Daggett, No. 42, December 6, 1883. (See Foreign Relations of the United States, 1883.)
 Treaty: Hawaiian Islands Supplementary Convention, December 6, 1884. Reciprocity and Pearl River Harbor Cession.
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 Mr. Merrill to Mr. Bayard, No. 85, October 19, 1886.
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- Treaty of amity, commerce, and unavigation, unperfected, 1849. (Bureau of Rolls and Library, Department of State.)
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Mr. Stevens to Mr. Foster, No. 74, November 20, 1892.

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- Commercial Agent Wm. Hooper's No. 23, March 11, 1843.
- Commercial Agent Wm. Hooper's No. 28, August 15, 1843.
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- Visit of King Kalakaua:
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- Wiley case:
 - Proceedings on appeal from judgment of the inferior court. Mr. Calhoun to Mr. Brown, No. 4, January 20, 1845.

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Treaty of Friendship, Commerce, and Navigation, between The United States and the Sandwich Islands, signed at Honolulu, December 23, 1826.

Articles of agreement made and concluded at Oahu, between Thomas ap Catesby Jones, appointed by the United States, of the one part, and Kauikeaouli, King of the Sandwich Islands and his guardians, on the other part.

ARTICLE I. The peace and friendship subsisting between the United States and their Majesties, the Queen Regent and Kauikeaouli, King of the Sandwich Islands, and their subjects and people, are hereby confirmed and declared to be perpetual.

II. The ships and vessels of the United States (as well as their consuls and all other citizens), within the territorial jurisdiction of the Sandwich Islands, together with all their property, shall be inviolably protected against all enemies of the United States in time of war.

III. The contracting parties, being desirous to avail themselves of the bounties of Divine Providence, by promoting the commercial intercourse and friendship subsisting between the respective nations; for the better security of these desirable objects, their Majesties bind themselves to receive into their ports and harbours, all ships and vessels of the United States, and to protect to the utmost of their capacity all such ships and vessels, their cargoes, officers, and crews, so long as they shall behave themselves peaceably, and not infringe the established laws of the land; the citizens of the United States being permitted to trade freely with the people of the Sandwich Islands.

IV. Their Majesties do further agree to extend the fullest protection within their control to all ships and vessels of the United States which may be wrecked on their shores, and to render every assistance in their power to save the wreck and her apparel and cargo; and, as a reward for the assistance and protection which the people of the Sandwich Islands shall afford to all such distressed vessels of the United States, they shall be entitled to a salvage or a portion of the property so saved; but such salvage shall in no case exceed one-third of the vessel saved, which valuation is to be fixed by a commission of disinterested persons, who shall be chosen equally by the parties.

V. Citizens of the United States, whether resident or transit, engaged in commerce or trading to the Sandwich Islands, shall be inviolably protected in their lawful pursuits, and shall be allowed to sue for and recover by judgment all claims against the subjects of His Majesty the King according to strict principles of equity and the acknowledged practice of civilized nations.

VI. Their Majesties do further agree and bind themselves to discountenance and use all practicable means to prevent desertion from all American ships which visit the Sandwich Islands; and to that end it shall be made the duty of all governors, magistrates, chiefs of districts, and all others in authority, to apprehend all deserters and to deliver them over to the master of the vessel from which they have

deserted; and for the apprehension of every such deserter who shall be delivered over as aforesaid, the master, owner, or agent shall pay to the person or persons apprehending such deserter the sum of 6 dollars, if taken on the side of the island near which the vessel is anchored; but if taken on the opposite side of the island the sum shall be 12 dollars, and if taken on any other island the reward shall be 24 dollars, and shall be a just charge against the wages of every such deserter.

VII. No tonnage dues or impost shall be exacted of any citizen of the United States which is not paid by the citizens or subjects of the nation most favored in commerce with the Sandwich Islands; and the citizens or subjects of the Sandwich Islands shall be allowed to trade with the United States and her territories upon principles of equal advantage with the most favored nation.

Done in council at Honolulu, Island of Oahu, this 23rd day of December, in the year of our Lord 1826.

THOS. AP CATESBY JONES.
ELISABETA KAAHUMANU.
KARAIMOKU.
BOKI.
HOAPILI.
LIDIA NAMAHANA.

[From Jones, December 25, 1826, dated Honolulu.]

Says that the state of affairs in regard to foreigners being protected is in a bad condition and that his services are really required at the islands to protect the seamen.

"On the 23d instant I concluded some arrangements with the Government of these islands calculated to secure our interest in this quarter and suppress the evils which have hitherto existed. I have also secured satisfactory pledges for the speedy payment of the large claims held by American citizens against the islanders. In short, I hope it will be proved that the *Peacock's* visit to the Sandwich and Society Islands has in some degree accomplished the main object of the cruise."

[To Wm. Bolton Finch, U. S. S. *Vincennes*, January 20, 1829.]

"Chaplain Stewart has in his care and will deliver to you a letter to King Kamehameha, a few presents from our Government to the principal chiefs of the Sandwich Islands. You will deliver them to the persons for whom they are intended.

"Remain from two to three weeks, or as long as shall be thought expedient for careful to cultivate the most friendly relations and to procure from our consular and commercial agent or from other sources every information respecting our commercial and other interests which may be practicable."

Instructions to reclaim deserting sailors, and to make inquiries into the state of our commerce, etc.

[No mention made of the treaty of December 23, 1826.]

(2) *English treaty of Lord Edward Russell, November 16, 1836.*

Articles made and agreed on at Honolulu, island of Oahu, the 16th of November, 1836.

ARTICLE I. English subjects shall be permitted to come with their vessels, and property of whatever kind, to the Sandwich Islands; they shall also be permitted to reside therein, as long as they conform to the laws of these islands, and to build houses, and warehouses for their merchandise, with the consent of the King; and good friendship shall continue between the subjects of both countries, Great Britain and the Sandwich Islands.

ARTICLE II. English subjects, resident at the Sandwich Islands, are at liberty to go to their own country, or elsewhere, either in their own or any other vessel; they may dispose of their effects, enclosures, houses, &c., with the previous knowledge of the King, and take the value with them, without any impediment whatever. The land on which houses are built is the property of the King, but the King shall have no authority to destroy the houses, or in any way injure the property of any British subject.

ARTICLE III. When an English subject dies on the Sandwich Islands, his effects shall not be searched or touched by any of the governors or chiefs, but shall be delivered into the hands of his executors or heirs, if present; but if no heir or executor appear, the consul or his agent shall be executor for the same; if any debts were owing to the deceased, the governor of the place shall assist and do all in his power to compel the debtors to pay their debts to the heirs or executor, or the consul, in case no heir or executor appears, and the consul is to inform the King of the death of every British subject leaving property upon the Sandwich Islands.

KAMEHAMEHA III.

EDWARD RUSSEL,

Captain of H. B. M. S. Acteon.

[Translation.]

Treaty concluded July 12, 1839, between the King of the Sandwich Islands and Capt. Laplace, commanding the French frigate Artemise, acting in the name of the King of the French.

ARTICLE 1. The Catholic worship is declared free in all the islands subject to the King of the Sandwich (Islands); the members of that communion will enjoy there all the privileges granted to Protestants.

ART. 2. A piece of ground for a Catholic church will be granted by the Government at Hohorourou, a port frequented by the French, and that Church will be served by priests of their nation.

ART. 3. All the Catholics imprisoned on account of their religion since the last persecutions exercised against the French missionaries will be immediately set at liberty.

ART. 4. The King of the Sandwich (Islands) will deposit in the hands of the captain of the *Artemise* the sum of twenty thousand dollars as a guarantee of his future conduct towards France, the Government of which will restore him this sum when it shall deem that the clauses of

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this treaty and those of the convention concluded with Captain Dupetit-Thouars in July, 1837, have been faithfully executed.

ART. 5. The treaty, together with the sum mentioned above, will be brought on board the frigate *Artemise* by one of the principal chiefs of the country, and, at the same time, the batteries of Honorourou will salute the French flag with twenty-one guns, which will be returned by the frigate.

Made and signed between the contracting parties July 12, 1839.

KAMEHAMEHA III.

C. LAPLACE,

Commanding the Artemise.

[Translation.]

Convention concluded July 17, 1839, between the King of the Sandwich Islands, Kamehameha III, and Captain Laplace, commanding the French frigate Artemise, representing his Government.

ARTICLE 1. There shall be perpetual peace and friendship between the King of the French and the King of the Sandwich Islands.

ART. 2. Frenchmen shall be protected in an efficient manner, in their persons and property, by the King of the Sandwich Islands, who will also grant them the necessary permission to prosecute those of his subjects against whom they may have just claims.

ART. 3. Such protection shall extend to French vessels, their crews and their officers. In case of shipwreck, the chiefs and inhabitants of the various parts of the archipelago must lend them assistance and protect them from pillage. The salvage dues will be settled, in case of difficulty, by umpires appointed by both parties.

ART. 4. No Frenchman accused of any crime can be tried otherwise than by a jury composed of foreign residents, proposed by the consul of France and accepted by the Government of the Sandwich Islands.

ART. 5. The desertion of sailors employed on board the French vessels will be severely repressed by the local authorities, who must employ every means at their command to have the deserters arrested; and the expenses of capture will be paid by the captains or owners of the said vessels, in accordance with the tariff adopted by the nations.

ART. 6. French goods, or those recognized as being of French origin, and especially wines and brandies, can not be prohibited, nor pay an import duty of more than five per cent ad valorem.

ART. 7. No tonnage or import duties can be required of French merchants, unless they are paid by the subjects of the most favored nation in its commerce with the Sandwich Islands.

ART. 8. The subjects of King Kamehameha III shall be entitled, in the French Possessions, to all the advantages enjoyed by the French in the Sandwich Islands, and they shall be considered, moreover, as belonging to the most favored nation, as regards its commercial relations with France.

Made and signed between the contracting parties, July 17, 1839.

KAMEHAMEHA III.

C. LAPLACE,

Captain, Commanding the Artemise.

[House Ex. No. 35, Twenty-seventh Congress, third session.]

SANDWICH ISLANDS AND CHINA.

Message from the President of the United States, respecting the trade and commerce of the United States with the Sandwich Islands and with diplomatic intercourse with their Government; also in relation to the new position of affairs in China, growing out of the late war between Great Britain and China, and recommending provision for a diplomatic agent.

DECEMBER 31, 1842.—Referred to the Committee on Foreign Affairs.

To the House of Representatives of the United States:

I communicate herewith to Congress copies of a correspondence which has recently taken place between certain agents of the Government of the Hawaiian or Sandwich Islands and the Secretary of State.

The condition of those islands has excited a good deal of interest, which is increasing by every successive proof that their inhabitants are making progress in civilization, and becoming more and more competent to maintain regular and orderly civil government. They lie in the Pacific Ocean, much nearer to this continent than the other, and have become an important place for the refitment and provisioning of American and European vessels.

Owing to their locality and to the course of the winds which prevail in this quarter of the world, the Sandwich Islands are the stopping-place for almost all vessels passing from continent to continent, across the Pacific Ocean. They are especially resorted to by a great number of vessels of the United States, which are engaged in the whale fishery in those seas. The number of vessels of all sorts, and the amount of property owned by citizens of the United States, which are found in those islands in the course of a year, are stated, probably with sufficient accuracy in the letter of the agents.

Just emerging from a state of barbarism, the Government of the islands is as yet feeble; but its dispositions appear to be just and pacific, and it seems anxious to improve the condition of its people, by the introduction of knowledge, of religious and moral institutions, means of education, and the arts of civilized life.

It can not but be in conformity with the interest and wishes of the Government and the people of the United States that this community thus existing in the midst of a vast expanse of ocean should be respected, and all its rights strictly and conscientiously regarded. And this must also be the true interest of all other commercial states. Far remote from the dominions of European Powers, its growth and prosperity as an independent state may yet be in a high degree useful to all whose trade is extended to those regions, while its near approach to this continent, and the intercourse which American vessels have with it—such vessels constituting five-sixths of all which annually visit it—could not but create dissatisfaction on the part of the United States at any attempt by another power, should such attempt be threatened or feared, to take possession of the islands, colonize them, and subvert the native Government. Considering, therefore, that the United States possesses so very large a share of the intercourse with those islands, it is deemed not unfit to make the declaration that their Government seeks nevertheless no peculiar advantages, no exclusive control over the Hawaiian Government, but is content with its independent existence, and anxiously wishes for its security and prosperity. Its forbear-

ance in this respect, under the circumstances of the very large intercourse of their citizens with the islands, would justify the Government, should events hereafter arise, to require it, in making a decided remonstrance against the adoption of an opposite policy by any other power. Under the circumstances, I recommend to Congress to provide for a moderate allowance to be made out of the Treasury to the consul residing there, that in a Government so new and a country so remote American citizens may have respectable authority to which to apply for redress, in case of injury to their person and property, and to whom the Government of the country may also make known any acts committed by American citizens of which it may think it has a right to complain.

Events of considerable importance have recently transpired in China. The military operations carried on against the Empire by the English Government have been terminated by a treaty according to the terms of which four important ports hitherto shut against foreign commerce are to be open to British merchants, viz, Amoy, Foo-Choo-Foo, Ningpo, and Chinghai. It can not but be interesting to the mercantile interest of the United States, whose intercourse with China at the single port of Canton has already become so considerable, to ascertain whether these other ports now open to British commerce are to remain shut, nevertheless, against the commerce of the United States. The treaty between the Chinese Government and the British commissioner provides neither for the admission nor the exclusion of the ships of other nations. It would seem, therefore, that it remains with every other nation having commercial intercourse with China to seek to make proper arrangements for itself with the Government of that Empire in this respect.

The importations into the United States from China are known to be large, having amounted in some years, as will be seen by the annexed tables, to \$9,000,000. The exports, too, from the United States to China, constitute an interesting and growing part of the commerce of the country. It appears that in the year 1841, in the direct trade between the two countries, the value of the exports from the United States amounted to \$715,000 in domestic products and \$485,000 in foreign merchandise. But the whole amount of American produce which finally reached China and is there consumed is not comprised in these tables, which show only the direct trade. Many vessels with American products on board sail with a primary destination to other countries, but ultimately dispose of more or less of their cargoes in the port of Canton.

The peculiarities of the Chinese Government and the Chinese character are well known. An Empire supposed to contain 300,000,000 of subjects, fertile in various rich products of the earth, not without the knowledge of letters and of many arts, and with large and expensive accommodations for internal intercourse and traffic, has for ages sought to exclude the visits of strangers and foreigners from its dominions, and has assumed for itself a superiority over all other nations. Events appear likely to break down and soften this spirit of nonintercourse, and to bring China ere long into the relations which usually subsist between civilized States. She has agreed, in the treaty with England, that correspondence between the agents of the two Governments shall be on equal terms—a concession which it is hardly probable will hereafter be withheld from other nations.

It is true that the cheapness of labor among the Chinese, their ingenuity in its application, and the fixed character of their habits and

pursuits may discourage the hope of the opening of any great and sudden demand for the fabrics of other countries; but experience proves that the productions of Western nations find a market, to some extent, among the Chinese; that that market, so far as respects the productions of the United States, although it has considerably varied in successive seasons, has on the whole more than doubled within the last ten years; and it can hardly be doubted that the opening of several new and important ports, connected with parts of the Empire heretofore seldom visited by Europeans or Americans, would exercise a favorable influence upon the demand for such products.

It is not understood that the immediate establishment of correspondent embassies and missions, or the permanent residence of diplomatic functionaries, with full powers, of each country, at the court of the other, is contemplated between England and China, although, as has been already observed, it has been stipulated that intercourse between the two countries shall hereafter be on equal terms. An ambassador or envoy extraordinary and minister plenipotentiary can only be accredited, according to the usages of western nations, to the head or sovereign of the state. And it may be doubtful whether the court of Peking is yet prepared to conform to these usages so far as to receive a minister plenipotentiary to reside near it.

Being of opinion, however, that the commercial interests of the United States, connected with China, require at the present moment a degree of attention and vigilance such as there is no agent of this Government on the spot to bestow, I recommend to Congress to make appropriation for the compensation of a commissioner to reside in China, to exercise a watchful care over the concerns of American citizens and for the protection of their persons and property; empowered to hold intercourse with the local authorities, and ready, under instructions from his Government, should such instructions become necessary and proper hereafter, to address himself to the high functionaries of the Empire, or through them to the Emperor himself.

It will not escape the observation of Congress that, in order to secure the important objects of any such measure, a citizen of much intelligence and weight of character should be employed on such agency; and that, to secure the services of such an individual, a compensation should be made corresponding with the magnitude and importance of the mission.

JOHN TYLER.

WASHINGTON, *December 30, 1842.*

Messrs. Richards and Haalilio to the Secretary of State.

WASHINGTON, *December 14, 1842.*

SIR: The undersigned having been duly commissioned by His Majesty Kamehameha III, King of all the Hawaiian Islands, to represent his Government and promote its interests in the United States, wish to call the attention of your Government to the existing relations between the two countries.

In the year 1826 articles of agreement, in the form of a treaty, were entered into between His Majesty's Government and Thomas ap Catesby Jones, commanding the United States sloop of war *Peacock*. His Majesty has never received any notice of that treaty's being ratified,

nor intimation that it was approved by the Government of the United States. His Majesty has, nevertheless, during the last sixteen years, governed himself by the regulations of that treaty in all his intercourse with citizens of the United States.

Subsequently to the above similar forms of agreement have been entered into between His Majesty and officers commanding vessels of war of different nations of Europe; but, so far as is known to the undersigned, those agreements have never received the sanction of their several Governments.

These facts, viewed in connection with their attendant circumstances, have led His Majesty to feel considerable embarrassment in managing his foreign relations, and have awakened the very strong desire that his Kingdom shall be *formally* acknowledged by the civilized nations of the world as a sovereign and independent State.

His Majesty considers that this acknowledgment has already been tacitly but virtually made, both in the United States and Europe, by the appointment of consuls and commercial agents to reside in his dominions and by the formal manner in which the commanders of national vessels have transacted business with him, many of whom have professedly acted under the express instructions of their several Governments. But he is nevertheless of opinion that the time has now arrived when both the interests and the honor of his Kingdom demand a more formal acknowledgment than has hitherto been made by any foreign government. It is His Majesty's request that the Government of the United States will take into consideration the nature, extent, and the rapidity of those changes which have taken place in his dominions during the last few years—changes which he has the happiness to believe are honorable both to his Government and to the people over whom it rules.

Twenty-three years ago the nation had no written language and no character in which to write it. The language had never been systematized nor reduced to any kind of form. The people had no acquaintance with Christianity nor with the valuable institutions or usages of civilized life. The nation had no fixed form or regulations of government, except as they were dictated by those who were in authority or might by any means acquire power. The right of property was not acknowledged, and was therefore but partially enjoyed; there were no courts of justice and the will of the chieftains was absolute. The property of foreigners had no protection except in the kind disposition of individuals. But under the fostering influence, patronage, and care of His Majesty and of his predecessors the language has been reduced to visible and systematized form and is now written by a large and respectable proportion of the people. Schools have been established throughout his dominions and are supported principally by the Government, and there are but few among the younger people who are unable to read. They have now, in their own language, a library, embracing a considerable variety of books on a variety of subjects, including the Holy Scriptures, works on natural history, civil history, church history, geography, political economy, mathematics, and statute law, besides a number of elementary books. A regular monarchical Government has been organized, of a limited and representative character, a translation of the constitution of which we herewith transmit. A code of laws, both civil and criminal, has been enacted and published.

The legislature holds an annual meeting, for the purpose of adding to and amending this code. Courts of justice have been established and regular trials by jury required in all important cases. Foreigners

of different nations have testified their confidence in these courts by bringing suits in cases where many thousands of dollars' worth of property was involved, and that, too, in cases when, with but very short delay, they could have been carried before the courts of other countries.

It has, moreover, been the uniform practice of consuls and commercial agents, resident in His Majesty's dominions, and also of all commanders of national vessels visiting those dominions, to demand all that protection, both of persons and property, which is demanded of sovereign and independent States, and this His Majesty believes has been duly and efficiently extended. While, therefore, all is demanded of his Government, and all is rendered by it which is demanded of or rendered by the governments of sovereign and independent states, he feels that he has a right to expect his state to be acknowledged as such, and thus be formally received into the general compact of sovereign nations. In the request which His Majesty hereby makes to the Government of the United States, he has of course for his direct object the promotion of the interest of his own Kingdom, but he is also very fully convinced that the important interests of all the great commercial nations will also be materially subserved by his dominions remaining, as they have hitherto been, independent.

Their position is such that they constitute the great center of the whale fishery for most of the world. They are on the principal line of communication between the western continent of America and the eastern continent of Asia; and such are the prevailing winds on that ocean that all vessels requiring repairs or supplies, either of provisions or of water, naturally touch at those islands, whether the vessels sail from Columbia River on the north, or from the far distant ports of Mexico, Central America, or Peru, upon the south; and it should be further added, that there is no other place in all that part of the Pacific Ocean where repairs of vessels can be made to so good an advantage, or supplies be obtained in such abundance, and on so favorable terms.

His Majesty wishes also to remind the Government of the United States that the amount of property belonging to their citizens, which is either landed at or enters the various harbors or roadsteads of his dominions, and is consequently more or less dependent on the protection of his Government, can not be less than from five to seven millions of dollars annually. This property lies in some 90 or 100 whaling ships and their cargoes, and in some 12 or 15 merchant vessels, besides also a considerable amount of other property belonging to American citizens on shore. At some seasons there have been not less than three or four millions of dollars worth of American property, and some 1,400 American citizens at the same time, at the various ports of the islands, requiring constantly, in some degree, the protection of His Majesty; and he has the happiness of believing that efficient and satisfactory aid has always been extended to those who have required it. In evidence corroborative of many of the facts herein stated, the undersigned do not hesitate to refer to documentary evidence, which they believe must be among the papers in your Department of State, recently furnished by masters of national vessels, but more especially by the United States commercial agent at Honolulu.

His Majesty is also desirous that there should be a definite arrangement for the settlement of any future difficulties which may unhappily arise and which, between sovereign and independent nations, would ordinarily be the subject of diplomatic correspondence. To carry into effect these desirable objects the undersigned are authorized by His

Majesty Kamehameha III to enter into negotiation with the authorities of the United States, by convention, treaty, or otherwise, whenever the latter shall acknowledge the sovereignty of the former; and as evidence that the undersigned are thus authorized, they are prepared to present official papers from His Majesty whenever the way is open for them to be received.

The undersigned will further state that they are directed to proceed from the United States to Europe for the purpose of obtaining from some of the principal governments there the same acknowledgments which it is the object of this letter to obtain from the Government of the United States.

Accept, sir, the assurances of the high consideration with which the undersigned have the honor to be your obedient servants,

TIMOTEO HAALILIO.
WILLIAM RICHARDS.

HON. DANIEL WEBSTER,
Secretary of State.

The Secretary of State to the agents of the Sandwich Islands.

DEPARTMENT OF STATE,
Washington, December 19, 1842.

GENTLEMEN: I have received the letter which you did me the honor to address to me, under date of the 14th instant, stating that you had been commissioned to represent in the United States the Government of the Hawaiian Islands, inviting the attention of this Government to the relations between the two countries, and intimating a desire for a recognition of the Hawaiian Government by that of the United States.

Your communication has been laid before the President, and by him considered.

The advantages of your country to the navigators in the Pacific, and in particular to the numerous vessels and vast tonnage of the United States frequenting that sea, are fully estimated; and just acknowledgments are due to the Government and inhabitants of the islands for their numerous acts of hospitality to the citizens of the United States.

The United States have regarded the existing authorities in the Sandwich Islands as a Government suited to the condition of the people, and resting on their own choice; and the President is of opinion that the interests of all the commercial nations require that that Government should not be interfered with by foreign powers. Of the vessels which visit the islands, it is known that a great majority belong to the United States. The United States, therefore, are more interested in the fate of the islands, and of their Government, than any other nation can be; and this consideration induces the President to be quite willing to declare, as the sense of the Government of the United States, that the Government of the Sandwich Islands ought to be respected; that no power ought either to take possession of the islands as a conquest, or for the purpose of colonization, and that no power ought to seek for any undue control over the existing Government, or any exclusive privileges or preferences in matters of commerce.

Entertaining these sentiments, the President does not see any present necessity for the negotiation of a formal treaty, or the appointment or reception of diplomatic characters. A consul or agent from this

Government will continue to reside in the islands. He will receive particular instructions to pay just and careful attention to any claims or complaints which may be brought against the Government or people of the islands by citizens of the United States, and he will also be instructed to receive any complaint which may be made by that Government for acts of individuals (citizens of the United States) on account of which the interference of this Government may be requested, and to transmit such complaint to this Department.

It is not improbable that this correspondence may be made the subject of a communication to Congress, and it will be officially made known to the governments of the principal commercial powers of Europe.

I have the honor to be, gentlemen, your obedient servant,

DANIEL WEBSTER.

Messrs. TIMOTEO HAALILIO and WILLIAM RICHARDS,
Washington.

No. 22.

U. S. COMMERCIAL AGENCY,
Oahu, Sandwich Islands, March 7, 1843.

SIR: I have the honor to inform you of the arrival at these islands of the British frigate *Carysfort*, Capt. Lord Geo. Paulet, on the 11th ultimo, dispatched from San Blas by Admiral Thomas to inquire into certain charges alleged against this Government by Mr. Charlton, late English consul for these islands. Copies of the correspondence which took place between Capt. Paulet and His Majesty the King are herewith inclosed.

The nature of the demands made by Capt. Paulet were such as rendered it utterly impossible for the King to comply with them without completely subverting the established laws of the land and sacrificing the interests of many citizens of the United States, resident here, by setting aside decisions of juries in cases in which they were interested. In this dilemma he chose the only alternative proffered by Capt. Paulet, which was to cede the islands to Great Britain; accordingly a provisional cession was made, a copy of which I have the honor to inclose to you.

I would, observe in regard to the first of the demands made by Capt. Paulet, that the attachment on the property of Mr. Charlton was made by virtue of a judgment rendered against him in the regular established courts of these islands. The Government, however, fearing that the result of an immediate prosecution of the judgment might be construed into an infringement on the privileges claimed by ministers, simply caused the sheriff to issue public notice that the property could not be transferred, by which measure the full occupation and enjoyment of the property was secured to Mr. Charlton. Not the shadow of a loss, therefore, was sustained by him in consequence of the proceedings.

By the second demand it will be perceived that Capt. Paulet denies the right which this Government claims, in common with other nations, of receiving or rejecting consuls or their agents, even when good and sufficient cause for rejection can be adduced.

The punishment of foreigners who have committed crimes by putting them in irons has only occasionally been resorted to, to prevent offend-

ers from leaving the port; indeed so slack has the Government become in awarding punishment to merited offenders (foreigners) that I have formally declared to the governor of this island that, unless some reform should take place in that particular, I should feel it my duty to represent it to Com. Jones of the Pacific squadron.

The promise made by the King to Capt. Jones, referred to in the fourth demand, has been most religiously complied with, and the parties interested in the matter having voluntarily left their case with Sir George Simpson as arbitrator, the business has been fully and definitely settled, and is now only brought forward among other equally frivolous charges in order to swell the amount of "grievances" of British subjects.

In an interview between Mr. Simpson and the King, after he had formally acceded to the demands made by Capt. Paulet, he, Mr. Simpson, demanded that new trials should be granted in every instance in which decisions had been made affecting British subjects, since Mr. Charlton, the late consul, left, and this he contended was granted him by the King in acceding to the two last demands made by Capt. Paulet. The King, overwhelmed with this and similar unjust and exorbitant demands, gave up in despair. The final result of the business terminated in the provisional cession of the islands, before referred to.

I have thus briefly reviewed the character of the "demands" made on this Government by Capt. Paulet under the direction of Mr. Simpson; of the injustice of them no one conversant with the facts for a moment doubts.

I would observe in passing that Lord Paulet is a young man of whose intellectual capacities very little can be said, and could the Government of Great Britain be induced to send out a commission for the purpose of instituting an inquiry into the causes which led him to pursue the course he has, the result would by no means be creditable to him. Such a commission the King most devoutly wishes might be sent, and it is intended, I learn, to solicit the Governments of France and the United States to use their influence in bringing it about.

The geographical situation of the islands is such as to render it highly desirable that they should be neutral and their ports accessible at all times, in peace or war, by vessels of every nation.

Of their value to American interests the Department must be fully aware from repeated communications and returns from this agency.

A census of American citizens resident at these islands taken under my direction gives the number of 404, a large proportion of which are more or less interested in landed property, and they are not a little solicitous as to the national character they shall have to assume in order to retain their estates, should the islands become British territory. So, also, in regard to the titles of their estates, a majority of which are held simply by the right of gift from some chief, now deceased, to some person, also deceased, and from whom the estate has passed without that formality which an English court of law would deem requisite in order to establish a valid title.

It will be perceived on referring to the King's letter of February 18, (No. 7) to Capt. Paulet, that he complies with his demands only under protest; this was undoubtedly done with the hope of exciting the sympathies of foreign governments, but are there not other considerations which should induce the Government of the United States to exert its influence to secure the recognition of the independence of these islands by the European powers.

The subject is, indeed, one which deserves the profound consideration of the Government.

The British commissioners have assessed an additional duty of 1 per cent on all merchandise imported after this date.

I have the honor to be, etc.,

WM. HOOPER,
Acting U. S. Commercial Agent.

To the Hon. DANIEL WEBSTER,
Secretary of State, Washington City.

HER BRITANNIC MAJESTY'S SHIP CARYSFORT,
Woahoo, February 11, 1843.

SIR: Having arrived at this port, in her Britannic Majesty's ship *Carysfort*, under my command, for the purpose of affording protection to British subjects, as likewise to support the position of Her Britannic Majesty's representative here, who has received repeated insults from the Government authorities at these islands, respecting which it is my intention to communicate only with the King in person.

I require to have immediate information by return of the officer conveying this dispatch whether or not the King (in consequence of my arrival) has been notified that his presence will be required here, and the earliest day on which he may be expected, as otherwise I shall be compelled to proceed to his residence, in the ship under my command, for the purpose of communicating with him.

I have the honor to be, sir, your most obedient servant,
GEORGE PAULET,
Captain.

To KEKUANOA,
Governor of Woahoo, etc.

[Translated by G. P. Judd, translator to the Government.]

HONOLULU, OAHU, *February 11, 1843.*

Salutations to you, Lord George Paulet, captain of Her Britannic Majesty's ship *Carysfort*.

I have received your letter by the hand of the officer, and, with respect, inform you that we have not as yet sent for the King, as we were not informed of the business, but, having learned from your communication that you wish him sent for, I will search for a vessel and send.

He is at Wailuku, on the eastern side of Maui. In case the wind is favorable he may be expected in six days.

Yours, with respect,

M. KEKUANOA.

HER BRITANNIC MAJESTY'S SHIP CARYSFORT,
Honolulu Harbor, February 16, 1843.

SIR: I have the honor to acquaint your Majesty of the arrival in this port of Her Britannic Majesty's ship, under my command, and, accord-

ing to my instructions, I am desired to demand a private interview with you, to which I shall proceed with a proper and competent interpreter. I therefore request to be informed at what hour to-morrow it will be convenient for your Majesty to grant me that interview.

I have the honor to remain your Majesty's

Most obedient and humble servant,

GEO. PAULET,

Captain.

To His Majesty KAMEHAMEHA III.

HONOLULU, *February 17, 1843.*

Salutations to you, Lord George Paulet, Captain of Her Britannic Majesty's ship Carysfort.

SIR: We have received your communication of yesterday's date, and must decline having any private interview, particularly under the circumstances which you propose. We shall be ready to receive any written communication from you to-morrow, and will give it due consideration.

In case you have business of a private nature, we will appoint Dr. Judd our confidential agent to confer with you, who, being a person of integrity and fidelity to our Government, and perfectly acquainted with all our affairs, will receive your communications, give you all the information you require (in confidence), and report the same to us.

With respect,

KAMEHAMEHA III.

KEKAULOUHI.

I hereby certify the above to be a faithful translation,

G. P. JUDD,

Translator and Interpreter for the Government.

HER BRITANNIC MAJESTY'S SHIP CARYSFORT,

Woahoo, February 17, 1843.

SIR: In answer to your letter of this day's date (which I have too good an opinion of your majesty to allow me to believe ever emanated from yourself, but from your ill-advisers) I have to state that I shall hold no communication whatever with Dr. G. P. Judd, who, it has been satisfactorily proved to me, has been the puny mover in the unlawful proceedings of your Government against British subjects.

As you have refused me a personal interview, I inclose you the demands which I consider it my duty to make upon your Government, with which I demand a compliance at or before 4 o'clock p. m. to-morrow (Saturday); otherwise I shall be obliged to take immediate coercive steps to obtain these measures for my countrymen.

I have the honor to be your majesty's most obedient, humble servant,

GEO. PAULET,

Captain.

His Majesty KAMEHAMEHA III.

Demand made by the Right Honorable Lord George Paulet, captain, R. N., commanding Her Britannic M. Ship Carysfort, upon the King of the Sandwich Islands.

First. The immediate removal by public advertisement, written in the native and English languages and signed by the governor of this island and F. W. Thompson, of the attachment placed upon Mr. Charlton's property, the restoration of the land taken by the Government for its own use and really appertaining to Mr. Charlton, and reparation for the heavy loss to which Mr. Charlton's representatives have been exposed by the oppressive and unjust proceedings of the Sandwich Island Government.

Second. The immediate acknowledgment of the right of Mr. Simpson to perform the functions delegated to him by Mr. Charlton, namely, those of Her Britannic Majesty's acting consul until Her Britannic Majesty's pleasure be known upon the reasonableness of your objections to him, the acknowledgment of that right, and the reparation for the insult offered to Her Majesty through her acting representative, to be made by a public reception of his commission and the saluting the British flag with twenty-one guns, which number will be returned by Her Britannic Majesty's ship under my command.

Third. A guarantee that no British subject shall in future be subjected to imprisonment in fetters, unless he is accused of a crime which by the laws of England would be considered a felony.

Fourth. The compliance with a written promise given by King Kamehameha to Capt. Jones, of Her Britannic Majesty's ship *Curaçoa*, that a new and a fair trial would be granted in a case brought by Henry Skinner, which promise has been evaded.

Fifth. The immediate adoption of firm steps to arrange the matters in dispute between British subjects and natives of the country or others residing here, by referring these cases to juries, one-half of whom shall be British subjects, approved of by the consul, and all of whom shall declare on oath their freedom from prejudgment upon or interest in the case brought before them.

Sixth. I direct communication between His Majesty Kamehameha and her Britannic Majesty's acting consul for the immediate settlement of all cases of grievance and complaint on the part of British subjects against the Sandwich Island Government.

Dated on board her Britannic Majesty's ship at Woahoo this 17th day of February.

GEORGE PAULET,
Captain.

Salutations to Right Honorable Lord George Paulet, captain of Her Britannic Majesty's ship *Carysfort*.

We have received your letter and the demands which accompanied, and in reply would inform your lordship that we have commissioned Sir George Simpson and William Richards as our ministers plenipotentiary and envoys extraordinary to the court of Great Britain, with full powers to settle the difficulties which you have presented before us; to assure Her Majesty the Queen of our uninterrupted affection and confer with her ministers as to the best means of cementing the harmony between us.

Some of the demands which you have laid before us, are of a nature calculated seriously to embarrass our feeble Government, by contraven-

ing the laws established for the benefit of all. But we shall comply with your demands as it has never been our intention to insult Her Majesty the Queen or injure any of her estimable subjects; but we must do so under protest, and shall embrace the earliest opportunity of representing our case more fully to her Britannic Majesty's Government through our ministry.

Trusting in the magnanimity of the sovereign of a great nation whom we have been taught to respect and love, that we shall there be justified.

Waiting your further order with sentiments of respect,
KAMEHAMEHA.
KEKAULUOHI.

I hereby certify the above to be a faithful translation.

G. P. JUDD,
Translator for the Government.

HER BRITANNIC MAJESTY'S SHIP CARYSPORT,

Woahog, February 18, 1843.

SIR: I have had the honor to acknowledge Your Majesty's letter of this day's date, wherein you intimate your intention of complying with my demands, which I have considered my duty to make on Your Majesty's Government, I appoint the hour of 2 o'clock this afternoon for the interchange of salutes, and I shall expect that you will inform me at what hour on Monday you will be prepared to receive myself and Her Britannic Majesty's Representative.

I have the honor to be Your Majesty's most obedient humble servant,
GEORGE PAULET, *Captain.*

His Majesty TAMEHAMEHA III.

HONOLULU, OAHU, *February 18, 1843.*

Salutations to Lord George Paulet, captain of Her Britannic Majesty's ship *Carysfort*.

I have received your communication and make known to you that I will receive yourself and Her Britannic Majesty's representative, on Monday, the 20th of February, at 11 o'clock a. m.

Yours respectfully,

KAMEHAMEHA III.

I hereby certify the above to be a faithful translation.

G. P. JUDD,
Translator for the Government.

HER BRITANNIC MAJESTY'S SHIP CARYSPORT,

Woahoo, February 17, 1843.

SIR: I have the honor to notify you that Her Britannic Majesty's ship *Carysfort*, under my command, will be prepared to make an immediate attack upon this town at 4 p. m. to-morrow (Saturday) in the event of the demands now forwarded by me to the King of these islands not being complied with by this time.

I have the honor to be, etc.,

GEORGE PAULET,
Captain.

CAPTAIN LONG,

Commanding U. S. S. Boston, Honolulu:

Where are you, chiefs, people and commons from my ancestor, and people from foreign lands!

Hear ye! I make known to you that I am in perplexity by reason of difficulties into which I have been brought without cause; therefore, I have given away the life of our land, hear ye! But my rule over you, my people, and your privileges will continue, for I have hope that the life of the land will be restored when my conduct is justified.

Done at Honolulu, Oahu, this twenty-fifth day of February, 1843.

KAMEHAMEHA III
KEKAULUOHI.

Witness,

JOHN D. PAALUA.

I hereby certify the above to be a faithful translation.

G. P. JUDD,
Recorder and Translator for Government.

In consequence of the difficulties in which we find ourselves involved, and our opinion of the impossibility of complying with the demands in the manner in which they are made by Her Britannic Majesty's representative upon us, in reference to the claims of British subjects, we do hereby cede the group of islands known as the Hawaiian (or Sandwich) Islands, unto the Right Honorable Lord George Paulet, captain of her Britannic Majesty's ship of war *Carysfort*, representing Her Majesty, Victoria, Queen of Great Britain and Ireland, from this date, and for the time being: the said cession being made with the reservation that it is subject to any arrangements that may have been entered into by the representatives appointed by us to treat with the Government of Her Britannic Majesty; and in the event that no agreement has been executed previous to the date hereof subject to the decision of Her Britannic Majesty's Government on conference with the said representatives appointed by us; or in the event of our representatives not being accessible, or not having been acknowledged, subject to the decision which Her Britannic Majesty may pronounce on the receipt of full information from us, and from the Right Honorable Lord George Paulet.

In confirmation of the above we hereby affix our names and seals this twenty-fifth day of February, in the year of our Lord, one thousand eight hundred and forty-three, at Honolulu, Oahu, Sandwich Islands.

KAMEHAMEHA III.
KEKAULUOHI.

Signed in the presence of—

G. P. JUDD,
Recorder and Translator for the Government.

A provisional cession of the Hawaiian or Sandwich Islands having been made this day by Kamehameha III, King, and Kekauluohi, premier thereof, unto me, the Right Honorable Lord George Paulet, commanding Her Britannic Majesty's ship *Carysfort*, on the part of Her Britannic Majesty, Victoria, Queen of Great Britain and Ireland; subject to arrangements which may have been made or shall be made in Great Britain with the Government of Her Britannic Majesty, I do hereby proclaim,

First. That the British flag shall be hoisted on all the islands of the group, and the natives thereof shall enjoy the protection and privileges of British subjects.

Second. That the government thereof shall be executed, until the receipt of communications from Great Britain, in the following manner, namely: By the native King and chiefs and the officers employed by them, so far as regards the native population, and by a commission consisting of King Kamehameha III, or a deputy appointed by him, the Right Honorable Lord George Paulet; Duncan Forbes Mackay, esquire, and Lieut. Frere, R. N., in all that concerns relations with other powers (save and except the negotiations with the British Government), and the arrangements among foreigners (others than natives of the Archipelago) resident on these islands.

Third. That the laws at present existing or which may be made at the ensuing council of the king and chiefs (after being communicated to the commission) shall be in full force so far as natives are concerned; and shall form the basis of the administration of justice by the commission in matters between foreigners resident on these islands.

Fourth. In all that relates to the collection of the revenue, the present officers shall be continued at the pleasure of the native King and chiefs, their salaries for the current year being also determined by them, and the archives of Government remaining in their hands; the accounts are, however, subject to inspection by the commission heretofore named. The Government vessels shall be in like manner subject, however, to their employment if required for Her Britannic Majesty's service.

Fifth. That no sales, leases, or transfers of land shall take place by the action of the commission appointed as aforesaid, nor from natives to foreigners, during the period intervening between the 24th of this month and the receipt of notification from Great Britain of the arrangements made there; they shall not be valid, nor shall they receive the signatures of the King and premier.

Sixth. All the existing and bona fide engagements of the native King and premier shall be executed and performed as if this cession had never been made.

Given under my hand this 25th day of February, in the year of our Lord 1843 at Honolulu, Oahu, Sandwich Islands.

GEORGE PAULET,
Captain of H. B. M. S. Carysfort.

Signed in the presence of

G. P. JUDD,
Recorder and Interpreter to the Government.
ALEXR. SIMPSON,
H. B. M. Acting Consul.

No. 23.

U. S. COMMERCIAL AGENCY,
Oahu, Sandwich Islands, March 11, 1843.

SIR: The document herewith inclosed has been received at this office from His Majesty the King of these islands, with a request that it be forwarded to the President of the United States by the earliest opportunity.

I have the honor to remain, sir, etc.,

WM. HOOPER,
Acting U. S. Commercial Agent.

Hon. DANIEL WEBSTER,
Secretary of State, Washington City.

[Inclosure in No. 23.—Translation.]

Kamehameha III, native King of the Sandwich Islands, to His Excellency John Tyler, the President of the United States of America.

GREAT AND GOOD FRIEND: In trouble and difficulty we present for consideration to the President the unfortunate situation in which we and our Government are placed.

Demands upon us unsustained by the acknowledged laws of nations and unfounded in justice were for the first time presented by Lord George Paulet, captain of Her British Majesty's ship *Carysfort*, then lying in the harbor of Honolulu, with a threat of coercive measures in case of noncompliance within nineteen hours. Our proposals for discussion and negotiation through our principal adviser were declined with rudeness, and we were compelled without a hearing to yield to demands which we believed to be arbitrary and unjust as regards ourselves, oppressive and illegal as regards foreign residents.

We have been compelled to acknowledge an acting consul of Her Britannic Majesty against whom there were positive objections susceptible of explicit proof, without the grounds of our refusal being heard or considered. The acknowledged consul of Her Britannic Majesty had suddenly and secretly withdrawn from these islands without soliciting an interview or giving us any sort of notice of his intentions previous to his departure. After his departure, we received notice that he had delegated his consular functions to Alexander Simpson, who was a known and declared enemy of our Government, who had openly insulted the chief magistrate of this island and other high officers of our appointment, who had publicly threatened to involve us in difficulties, and whose recognition as consular agent was protested against by two British subjects who represented the chief commercial interests in these islands.

Compliance has been compelled with demands, violating the obligations of contracts and contravening laws for the collection of debts, which have been established for the general benefit in accordance with the statutes of civilized nations, by compelling us to annul the decision of juries after the cases had been dismissed, and to grant new trials contrary to law, and by compelling us to remove attachments levied by one British resident on the property of another in due course of law and under the usual formalities.

Precluded from negotiation and unable to repel by force, we yielded to these requisitions, under protest, of embracing the earliest opportunity of representing them more fully to Her Britannic Majesty.

S. Ex. 77—4

Compliance having been thus procured to the foregoing demands, others were preferred by Her Britannic Majesty's acting consul (now acknowledged) more unjust, exorbitant and arbitrary; claims for heavy indemnities where no damage was proven, and only alleged on frivolous pretexts, and demands for damages in a case still pending under the previous protest to Her Britannic Majesty. We were called upon to violate every principle of equity, by setting aside the decision of juries in several cases without any just cause being pretended why new trials should be granted; these demands were enforced at private interviews between ourselves, his lordship and Her Britannic Majesty's acting consul. The subject was only verbally canvassed, written negotiations were positively refused, and even written statements and proof and copies of the claims preferred were denied. The only alternative offered us were immediate resolve to violate the laws by acts illegal and oppressive, immediate admission and payment of claims to indemnity so loosely supported, or immediate hostilities.

Without force to resist hostilities, without resources to meet the payment of the heavy indemnities demanded, and firmly resolved to support law and justice, we adopted the only peaceful alternative left, to throw ourselves upon the generosity of the British nation by a conditional cession of these islands to Her Britannic Majesty. To have awaited hostilities would have been to expose to destruction the property and jeopardize the lives of a large number of foreign residents who are American citizens; to have complied with the demands urged would have been to sanction oppressive and illegal acts affecting the rights and prospects of American citizens also, and an open violation of the stipulations with the United States in 1826.

Placed in difficulties from which we could not extricate ourselves with honor and justice, compelled to immediate decision, and threatened with immediate hostilities we have, with the advice and consent of our chiefs, signed with a heavy hand and many tears the deed of provisional cession and have permitted the British flag to be planted in all our islands, but under the guns of a frigate and at the point of the bayonet.

Relying on the magnanimity and firmness of the United States, we appeal to the President to interpose the high influence of the United States with the court of England to grant us an impartial hearing and procure us justice, to induce Her British Majesty to withdraw from the sovereignty of these islands and leave us as we have been—an *independent government supported in our right*.

We have labored to civilize and improve our islands; we have adopted the laws of the United States and of Britain; we have appointed upright and capable American citizens and British subjects to offices of trust and responsibility, in order that their functions might be exercised with energy and fidelity; we have adopted all suggestions which would tend to put the commercial intercourse of American citizens with us upon the best footing; we have been gratified with the large and increasing number of American residents. We confidently appeal to the Americans on these islands engaged in mercantile and commercial pursuits to testify to the honesty of our intentions and our capabilities for self-government, and we acknowledge them to have been the most consistent and efficient supporters of our Government.

We look to the United States with peculiar feelings of respect and gratitude. To the benevolence and enterprise of that great people we owe the introduction of the Christian religion, of civilization and laws

of commerce and agriculture, and the large and respectable number of our foreign residents.

We ask of you to secure and preserve the great interests common to us and you, and arrest the course of events so prejudicial to both; and we shall never cease to be grateful for your aid.

And we pray to the Almighty God to have your excellency, our great and good friend, in his most holy keeping.

Written at Honolulu, Island of Oahu, Hawaiian (Sandwich) Islands, this 10th day of March, anno Domini one thousand eight hundred and forty three.

By your good friend,

KAMEHAMEHA III. [SEAL.]
Premier KEKAULUOHI. [SEAL.]

No. 28.]

U. S. COMMERCIAL AGENCY,
Sandwich Islands, August 15, 1843.

SIR: I have the honor to announce to you the arrival at this port, on the 26th ultimo, of H. B. M. Frigate *Dublin*, from Valpao, and of the restoration of the sovereignty of this group of islands to His Majesty the King thereof by Rear Admiral Thomas.

It appears that the acts of Capt. Paulet were entirely unauthorized by the British Government, or the commander of the British naval force in the Pacific.

The U. S. Ship *Constellation* arrived at these islands some time prior to the restoration of the Hawaiian flag by Admiral Thomas, and Com. Kearny receiving official information from me of the transaction of Capt. Paulet issued a protest, a copy of which is herewith inclosed.

The protest of the King against Lord Paulet, A, and the declaration of Admiral Thomas, Doc. C, are herewith inclosed for the information of the State Department.

The restoration of the Government of these islands to the native chiefs is as gratifying to the American residents here as it must be to the Government of the United States.

With sentiments of the highest consideration, etc.

WM. HOOPER,
Acting U. S. Commercial Agent.

Hon. DANIEL WEBSTER,
Secretary of State, Washington.

Know all men that, according to private instructions given to our deputy, he on the 10th of May, issued a protest on our behalf in the following words:

"Whereas the undersigned was, by commission dated February 27, 1843, appointed deputy for His Majesty Kamehameha III to the British Commission for the Government of the Sandwich Islands, under the provisional cession thereof unto Her Most Gracious Majesty Victoria, Queen of the United Kingdoms of Great Britain and Ireland;

"And whereas in the prosecution of business by the commissioners many acts have been passed and consummated affecting the interests of foreigners residing on the islands, and by acts which virtually abrogate the bona fide obligations of the Government existing at the period of

the provisional cession, to which acts the said Kamehameha III did refuse through me, his deputy;

"And whereas, by an order issued April 27, 1843, to the acting governor of Oahu, and by subsequent orders dated May 8, 1843, issued to all the governors of these Sandwich Islands, the commissioners, to wit, the Rt. Hon. Lord George Paulet, captain of H. B. M. ship *Carysfort*, and Lieut. John Frere, R. N., did virtually abrogate one of the existing laws of these islands by forbidding the imprisonment of persons found guilty of fornication, except in certain cases not specified in the laws, as will appear more fully upon reference to said orders, violating thereby the solemn compact entered into under the provisional cession;

"Now, therefore, be it known to all men that I, the said deputy for the said King Kamehameha III, do by these presents enter this my most solemn protest against the acts, especially those above recited, of the said commissioners, which have not the signature and approbation of me, the said deputy, as will appear more fully upon reference to the records of said commission.

"And I do hereby most solemnly protest against the said Rt. Hon. Lord George Paulet and Lieut. Frere, commissioners aforesaid, and all others whom it may concern, holding them responsible for their violation of the solemn compact or treaty entered into on the 25th day of February, 1843.

"G. P. JUDD,
"for the King.

"HONOLULU, OAHU, SANDWICH ISLANDS, *May 10, 1843.*"

On the next day our deputy withdrew from the British commission by the following document, acting in our place and stead:

"Whereas the undersigned deputy for the King Kamehameha III did, on the 10th day of May, instant, enter his protest against certain acts of the British commission for the Government of the Sandwich Islands;

"And whereas the undersigned has been verbally informed this day by the Rt. Hon. Lord George Paulet and Lieut. Frere that one of the laws as made at the recent Council of the King and Chiefs, viz, 'A law for the licensing of public auctioneers,' shall not go into operation;

"And whereas it now appearing evident to the undersigned that the terms of the compact or treaty entered into on the 25th February, 1843, will not in future be respected by the British commission;

"Therefore be it known to all men that I, the said deputy, do by these presents resign my seat in the said commission, thereby withdrawing the said King Kamehameha III from all future responsibilities in the acts of the said commission.

"Done at Oahu Sandwich Islands, at the office of the British commission for the Government of the Sandwich Islands, this 11th day of May, A. D 1843.

"G. P. JUDD,
"Deputy for the King."

We therefore publicly make known that we, Kamehameha III, the King, fully approve and acknowledge the protest and withdrawal of our deputy as our own, and declare that we will no more sit with the British commissioners, or be responsible for any act of theirs which may encroach on the rights of foreigners.

The Rt. Hon. Lord George Paulet and his Lieutenant, John Frere, having enlisted soldiers under the title of "the Queen's Regiment", maintaining them as a standing army out of funds appropriated by us for the payment of our just debts, which expense we consider quite uncalled for and useless; they having enforced their demand for the payment of the money by a threat of deposing from his trust an officer of the treasury, although contrary to the orders of the King and premier to him, made known to the British Commissioners;

By these oppressions, by the trial of natives for alleged offenses against the native Government, cases which come not properly under their cognizance, and by their violating the laws which, by the treaty, were to have been held sacred until we hear from England; we are oppressed and injured, and feel confident that all good men will sympathize with us in our present state of distress; and now we protest in the face of all men against all such proceedings both towards ourselves and foreigners, subjects of other governments, on the part of the Rt. Hon. Lord George Paulet, captain of H. B. ship *Carysfort*, and his lieutenant, John Frere, R. N., and take the world to witness that they have broken faith with us.

LAHAINA MAUI, SANDWICH ISLANDS, *June 24, 1843.*

By me, (Signed) KAMEHAMEHA III.

By me, (Signed) KEKAULUOHI,

Premier.

His Majesty KAMEHAMEHA III,

King of the Sandwich Islands:

In the name and on behalf of the people of the United States of America and their Government, which the undersigned has the honor to represent, and in order to explain clearly for the information of all concerned is issued a protest.

Whereas a provisional cession of the Hawaiian or Sandwich Islands was made by His Majesty Kamehameha III and Kekauluohi, premier thereof, unto the Hon. George Paulet, commanding Her Britannic Majesty's ship *Carysfort* (to wit) on the 25th day of February, 1843, and whereas, the United States' interests and those of their citizens resident on the aforesaid Hawaiian Islands are deeply involved in a seizure of His Majesty's Government under the circumstances; as well as in the act of the aforesaid King and premier acceding thereto under protest or otherwise, to affect the interests before cited: Now, therefore, be it known that I solemnly protest against every act and measure in the premises; and do declare that from and after the day of said cession until the termination of the pending negotiations between His Majesty's envoys and the Government of Her Britannic Majesty, I hold His Majesty Kamehameha III and Capt. Lord George Paulet answerable for any and every act, by which a citizen of the United States resident as aforesaid shall be restrained in his just and undisputed rights and privileges, or who may suffer inconvenience or losses, or be forced to submit to any additional charges on imports or other revenue matters, or exactions in regard to the administration of any municipal laws whatever enacted by the "Commission" consisting of His Majesty King Kamehameha III, or his deputy of the aforesaid islands and the

Right Hon. Lord George Paulet, Duncan Forbes Mackay, esq., and Lieut. John Frere, R. N.

Given under my hand on board the U. S. Ship *Constellation*, at anchor off Honolulu, Oahu, this 11th day of July, 1843.

LAWRENCE KEARNEY,
Commander-in-Chief of the U. S. Naval force in the East Indies.

HER BRITANNIC MAJESTY'S SHIP DUBLIN,
Off Honolulu, July 26, 1843.

SIR: It being my desire to obtain the honor of a personal interview with His Majesty King Kamehameha III, for the purpose of conferring with His Majesty on the subject of the provisional cession of his dominions, I have to request that you will be pleased to intimate my wishes to His Majesty in order that he may appoint the time and place where such interview may be held.

I have the honor to be, sir, your most obedient humble servant,

RICHARD THOMAS,
*Rear Admiral and Commander-in-Chief of H. B. M.
Ships and Vessels in the Pacific.*

To KEKUANA'OA,
Governor of Oahu.

[With Mr. Hooper's No. 23.]

DECLARATION.

Of Rear-Admiral Thomas, Commander in Chief of Her Britannic Majesty's ship and vessels in the Pacific, in relation to the events which transpired at the Sandwich Islands, and consequent upon the visit of Her Britannic Majesty's Ship Carysfort in February, 1843.

TO KING KAMEHAMEHA III AND THE PRINCIPAL CHIEFS OF THE SANDWICH ISLANDS: Immediately that the commander in chief was made acquainted in Valparasio in June, 1843, of the provisional cession of the Hawaiian Islands unto the Right Honorable Lord George Paulet, as the then and there representative of Her Majesty, Queen Victoria, he hastened to the spot to make himself fully acquainted with all the circumstances and, if possible, the motives which led to such an unlooked for event.

His first duty on arrival was to seek a personal interview with His Majesty Kamehameha III, and to ascertain whether these difficulties in which he found himself involved, and the opinion which His Majesty appeared to entertain of the impossibility of complying with certain requisitions which had been made, were so utterly insurmountable as to call upon him to renounce the sovereignty of these islands for the time being, likewise whether the cession was a free unbiased and unsolicited act of sovereign power.

The rear-admiral having ascertained that the difficulties to which allusion is made in the deed of cession might be surmounted, having convinced His Majesty that he had not properly understood the principles of justice and good faith which invariably guide the councils of Her Majesty, the Queen of Great Britain, in all their deliberations, partic-

ularly respecting their relations with foreign powers, and that whenever it becomes necessary to vindicate the rights of British subjects or redress their wrongs the government scrupulously respects those rights which are vested in all nations in an equal degree, whether they be powerful or weak, making it, therefore, a rule not to resort to force until every expedient for an amicable adjustment has failed, having, moreover, learned that His Majesty entertained the hope that his conduct was capable of justification, and that such justification he thought would restore to him the authority he had ceded under supposed difficulties, and having, moreover, assured His Majesty that whilst it is the earnest desire of the Government of Great Britain to cultivate by every means a good understanding with every independent nation, and to prevent any of its subjects from injuring those of other sovereigns, either in person or property, wherever they may be located, and that when it can be avoided rather than urge compliance with demands which are likely to embarrass a feeble Government, its object is to foster and even *assist* by kind advice or good offices such as may be disposed to seek its friendly interposition, requiring in return only equal privileges for such British residents as may have been granted to the subjects of the most favored nation. Lastly, His Majesty has given his assent to new proposals submitted to him for the amicable adjustment of the pending differences which led to the temporary cession of his authority. The commander-in-chief of Her Britannic Majesty's ships and vessels in the Pacific, for the reasons herein stated and as the highest local representative of Her Majesty Queen Victoria, Queen of the United Kingdom of Great Britain and Ireland, hereby declares and makes manifest that he does not accept of the provisional cession of the Hawaiian Islands, made on the 25th day of February, 1843, but that he considers His Majesty Kamehameha III the legitimate King of those islands, and he assures His Majesty that the sentiments of his Sovereign towards him are those of unvarying friendship and esteem, that Her Majesty sincerely desires King Kamehameha to be treated as an independent sovereign, leaving the administration of justice in his own hands, the faithful discharge of which will promote his happiness and the prosperity of his dominions.

Although it is the duty of every sovereign and his ministers and counselors to do all in their power to prevent any of their subjects from injuring those of any other nation residing among them; nay more, that he ought not to permit foreigners to settle in his territory unless he engages to protect them as his own subjects, and to afford them perfect security as far as regards himself; yet Great Britain will not consider the public character of the legitimate sovereign of a state but recently emerged from barbarism, under the fostering care of civilized nations, as at all implicated by the aggression of some of his subjects, provided the Government does not directly or indirectly sanction any acts of partiality or injustice, either by conniving at whilst they are planning or being executed or by allowing the perpetrators to remain unpunished.

If, unfortunately, a case should occur in which there is an evasion or denial of justice on the part of the Government towards British subjects, the course to be pursued is clear, and it would then be the duty of the commander-in-chief, in such case of real grievance which shall remain unredressed, to obtain that which bad faith and injustice have denied.

The commander-in-chief confidently hopes that this act of restora-

tion to the free exercise of his sovereign authority will be received by the King of the Sandwich Islands as a most powerful and convincing proof, not only of the responsibility he is under to render immediate reparation for real wrongs committed upon British subjects or their property, but also of the importance which attaches to the maintenance of those friendly and reciprocally advantageous relations which have for so many years subsisted between the two nations; and he further hopes that neither His Majesty nor his successors will ever forget that to the illustrious circumnavigator Capt. Cook, as the first discoverer, the inhabitants of the Sandwich Islands owe their admission into the great family of civilized man, and from the lips of Vancouver (another Englishman) Kamehameha I heard mention for the first time of the true God, which ultimately led to the abrogation of a false worship, idolatry, and human sacrifices, and by the well-directed energies, the ceaseless perseverance of the American missionaries to the establishment of a religion pure and undefiled, accompanied by the advantages of instruction and civilization, the which combined and duly cultivated bring in their train security of life and property, social order, mental and moral improvement, internal prosperity, and the respect as well as good will of other nations more advanced in the knowledge of the true faith and the science of good government.

Blessings and advantages of this nature the government of Great Britain is desirous of increasing and promoting among the inhabitants of the Sandwich Islands by every honorable and praiseworthy means in its power, and thus to enlist the sympathies of the sovereign and his ministers on the side of justice, which is the basis of all society and the surest bond of all commerce.

Given on board Her Britannic Majesty's ship *Dublin*, at Honolulu, island of Oahu, this thirty-first day of July, in the year of our Lord one thousand eight hundred and forty-three.

RICHARD THOMAS.

No. 1.]

DEPARTMENT OF STATE,
Washington, 15th March, 1843.

SIR: The accompanying message of the President to Congress of the 30th of December last, transmitting a correspondence between this Department and certain agents of the Sandwich Islands then in this city, will acquaint you with the view which he entertains of the relations between the United States and those islands, and with the objects and motives of this Government for cultivating and strengthening those relations. Congress having complied with his suggestions by providing for a Commissioner to reside at the islands, you have been chosen for that purpose. A commission appointing you to the office will be found among the papers which you will receive herewith, and a letter from this Department addressed to that minister of the King of the islands who may be charged with their foreign relations, accrediting you in your official character. The title selected for your mission has reference in part to its purposes. It is not deemed expedient at this juncture fully to recognize the independence of the islands or the right of their Government to that equality of treatment and consideration which is due and usually allowed to those Governments to which we send and from which we receive diplomatic agents of the ordinary ranks. By this, however, it is not meant to intimate that the islands,

so far as regards all other powers, are not entirely independent; on the contrary, this is a fact respecting which no doubt is felt, and the hope that through the agency of the Commissioner that independence might be preserved, has probably, in a great degree, led to the compliance by Congress with the recommendation of the President.

It is obvious, from circumstances connected with their position, that the interests of the United States require that no other power should possess or colonize the Sandwich Islands, or exercise over their Government an influence which would lead to partial or exclusive favors in matters of navigation or trade. One of your principal duties therefore, will be to watch the movements of such agents of other Governments as may visit the islands. You will endeavor to obtain the earliest intelligence respecting the objects of those visits, and if you should think that, if accomplished, they would be detrimental to the interests of the United States, you will make such representations to the authorities of the islands as in your judgment would be most likely to further them. You will also endeavor to impress upon those authorities the necessity of abstaining from giving just cause of complaint to the Governments of those powers whose policy is to increase their possessions and multiply their colonies abroad. This duty can best be performed by the prompt and impartial administration of justice according to the laws and customs of the islands, in such cases of difference as may occur between their officers and citizens and the officers, citizens, or subjects of other Governments.

You will give the Government of the Sandwich Islands distinctly to understand that the Government of the United States in all its proceedings, and in setting on foot your mission, has not in any degree been actuated by a desire or intention to secure to itself exclusive privileges in matters of navigation or trade, or to prevent any or all other commercial nations from an equal participation with ourselves in the benefits of an intercourse with those islands. We seek no control over their Government, nor any undue influence whatever. Our only wish is that the integrity and independence of the Hawaiian territory may be scrupulously maintained and that its Government should be entirely impartial towards foreigners of every nation. In making resolute and stern resistance, therefore, to any claim of favor or exclusive privilege by other powers, you will at all times frankly disavow any desire that favors or exclusive privileges should be granted to the United States, their ships, commerce, or citizens.

You will transmit to the Department full and exact information respecting the trade of the United States and of other nations with the islands. Any suggestions which may occur to you having in view any improvement of the commerce of the United States with the islands will be acceptable. Your attention is particularly requested to the nature of the fiscal regulations in force there, to their effects upon foreign commerce generally, and to the policy of the Government in regard to this subject. If those regulations should be frequently changed, or if there should be cause to apprehend the imposition of discriminating duties upon our navigation and trade, the expediency of negotiating a treaty with that Government which would determine for a series of years the reciprocal rights and duties of the parties in regard to those subjects will be taken into consideration.

After you shall have resided long enough at the Sandwich Islands to have made yourself familiar with the state of public affairs there, and shall have communicated to the Department the results of your observations, you may make a visit to the Society Islands for the purpose of

examining and reporting upon their condition and prospects. It is advisable, however, that your absence from your post should not be prolonged beyond the period absolutely necessary for that purpose.

I am, sir, your obedient servant,

DANIEL WEBSTER.

GEORGE BROWN, Esq.,
*Appointed Commissioner of the United States
 for the Sandwich Islands.*

[From Mr. Brown's dispatch, No. 5, of October 26, 1843.]

SIR: I arrived here on the 16th instant, and found here Commodore Dallas, who arrived in the *Erie* a few days before me, also the *Cyane*, Commander Stribling. Admiral Thomas, commanding the English naval forces in the Pacific, was also here, having, as you must have learned ere receiving this, restored the flag to the King of Hawaii.

Commodore Dallas having offered me the *Cyane* to carry me to Lahaina, Maui, the residence of the King, for the purpose of presenting my credentials to the Government, I visited her yesterday and was received with a salute of thirteen guns. This morning, on arriving on board, was informed that the admiral intended to dispatch the corvette *Hazard* for Mazatlan on Saturday, and, as we are under way, have no time to write as I could wish, being obliged to send this back by the pilot. Everything, however, appears to be going on as we could wish. The admiral appears to have done everything that could have been required to satisfy the King. He appears to be a very fine man, and the conduct of Lord George Paulet is a sore subject to him. The most charitable construction I have heard put upon the conduct of Lord George is that he was partially deranged.

Mr. Hooper, United States commercial agent, informs me that he has sent to the State Department a full account of all that has happened previous to my arrival. The meagerness of this dispatch I hope therefore will be excused. The English corvette *Champion* arrived yesterday from Valparaiso, which is the occasion of the *Hazard* being ordered to Mazatlan so soon, thereby giving me so little time to write. On my return from Mani will write you fully of all my proceedings. It affords me much pleasure to know that the President has availed himself of your talents and services in the State Department.

I have the honor to be, with great respect, your very obedient servant,

GEO. BROWN.

Hon. ABEL P. UPSHUR,
Secretary of State, Washington.

[From Mr. Brown's dispatch No. 6, of November 4, 1843.]

HONOLULU, *November 4, 1843.*

SIR: I last had the honor of addressing you on the 26th ultimo from on board the U. S. S. *Cyane*, on my passage from this place to Lahaina. Not being informed until after the ship was under way that the English admiral was about dispatching a vessel for Mexico, I had only time to

inform you of my arrival here, and of my being on my way to present my credentials to the premier who was residing at Lahaina, Mani.

I arrived here from Tahiti in the brig *Catharine* on the 16th ultimo, after a passage of 28 days, and found, much to my gratification, that the English admiral, Thomas, had restored the flag to the King, and placed the islands again under its native government. It will be unnecessary for me to give you a history of the doings of Lord George Paulet previous to the arrival of the admiral, or of the proceedings of the latter, as I am informed by Mr. Hooper, our acting commercial agent here, that he has written you fully on the subject, giving you every information requisite. I will therefore only say that, from what I have so far learned, both the Government here and the American residents are perfectly satisfied with what the admiral has done. There are some questions and cases arising out of the usurpation of Lord George which are not yet settled, but will have to wait for the arrival of the British commissioner or for the action of the British Government, but there appears no doubt that everything will be amicably and properly arranged.

Learning on my arrival that the King was absent from his usual residence at Lahaina, on a visit to the island of Hawaii, and that he would not return until the 27th, I remained here until the 26th, when I took passage on board the *Cyane*, which ship had been placed at my disposal by Commodore Dallas, for Lahaina. I arrived there on the 30th at 8 a. m., accompanied by Dr. Judd, the Government interpreter, and wrote a note to the premier, informing her (him?) of my arrival, and requesting to know at what time it would be convenient for her to receive me. I received an answer that she would be ready at half past twelve.

On leaving the ship I was saluted with thirteen guns, and on landing was received by a number of the high chiefs and conducted to the house of Kekaumohi, the premier, whom, on introduction by Mr. Judd, I addressed as follows:

I have the honor to present to your excellency my credentials as commissioner from the Government of the United States to the King of Hawaii, and I beg to assure your excellency that it will afford me much pleasure in carrying out the instructions of my Government to cultivate the friendship of the Hawaiian Government and to deserve it by all the good offices in my power.

After the credentials were read the premier replied in the following terms as interpreted to me:

I am happy to see you here as the representative of a nation to whom we owe so much and whose friendship and good will we so highly value and that we shall always endeavor to retain. Your credentials are highly satisfactory.

I was then asked whether I wished to be introduced to the King, and on replying in the affirmative, the premier handed me a letter of introduction, observing that on account of lameness she could not accompany me. I was attended, as heretofore, by a number of the high officers of Government, and on arriving at the house of the King found him waiting for me dressed in regimentals and attended by the governor of Mani and his aides. On entering he came forward and took me by the hand, requesting me to be seated. I handed him the premier's letter, which he read. I then rose and addressed him as follows, which was translated by Mr. Judd:

SIR: Having been appointed by the President of the United States of America a commissioner to reside in the dominions of Your Majesty, I have taken the earliest opportunity to pay you my respects. While my Government expects no exclusive privileges, and has no desire or intention to prevent any or all other commercial na-

tions from an equal participation in the benefits to be derived from an intercourse with your islands, and seeks no control or undue influence whatever, it has a right to expect that no partial or exclusive favors be granted to other nations. The wish of my Government is that the independence of the Hawaiian territory may be scrupulously maintained, and that its Government should be impartial towards foreigners of every nation.

Allow me to congratulate Your Majesty upon the interest taken in you and your people by one of the most powerful and free nations of the earth, as evinced by the unanimous vote of its representatives that a diplomatic intercourse should be opened with you. It must be a matter of great satisfaction to Your Majesty to think that while not a quarter of a century has elapsed since your country was in a state of heathenism, such progress has been made in civilization and Christianity that you are about to be admitted into the communion of nations who for ages have had advantages which have made them powerful and happy.

Next to the gratitude due from you to the Almighty Disposer of Events, you owe under Him, to those who, for the welfare of your people, left their friends and country to teach them (you) the blessings of Christianity and the arts of civilization, a debt which can only be paid by the knowledge that their efforts have not been in vain.

I assure Your Majesty that it will afford me great pleasure to be the means of uniting more closely the relations heretofore of the most friendly kind between the Government of the Hawaiian Archipelago and my own, and to further by everything in my power a reciprocal feeling of friendship and good will.

To which His Majesty replied as follows, which was also translated by Mr. Judd:

I am much gratified at being informed by the premier of your arrival, and am happy to receive you as a representative of the United States of America whose Government is much respected by me, and whose people have made great efforts to promote civilization and Christianity among my people.

I thank you for the kind sentiments you have expressed, and trust there will never be any alienation between my Government and yours. You may assure your Government that I shall always consider the citizens of the United States as entitled to equal privileges with those of the most favored nations.

* * * * *

Declaration of Great Britain and France relative to the independence of the Sandwich Islands, London, November 28, 1843.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, taking into consideration the existence in the Sandwich Islands of a government capable of providing for the regularity of its relations with foreign nations, have thought it right to engage, reciprocally, to consider the Sandwich Islands as an independent state, and never to take possession, either directly or under the title of protectorate, or under any other form, of any part of the territory of which they are composed.

The undersigned, Her Majesty's principal secretary of state for foreign affairs and the ambassador extraordinary of His Majesty the King of the French, at the court of London, being furnished with the necessary powers, hereby declare in consequence that their said majesties take reciprocally that engagement.

In witness whereof the undersigned have signed the present declaration, and have affixed thereto the seal of their arms.

Done in duplicate at London, the 28th day of November, in the year of our Lord, 1843.

[L. S.]

[L. S.]

ABERDEEN.

ST. AULAIRE.

Convention of commerce, navigation, etc., between Great Britain and the Sandwich Islands. Signed at Lahaina, February 12, 1844.†*

The differences which existed between the governments of Great Britain and of the Sandwich Islands having been happily settled, the following articles of agreement have been mutually entered into between the King of the Sandwich Islands, on the one part, and William Miller, esq., Her Britannic Majesty's consul-general for the Sandwich and other islands in the Pacific, in the name and on the behalf of Her Britannic Majesty, on the other part, for the preservation of harmony, and the prevention of future misunderstanding between the two parties.

ARTICLE I. There shall be perpetual peace and amity between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the King of the Sandwich Islands, their heirs and successors.

II. The subjects of Her Britannic Majesty shall be protected in an efficient manner in their persons and properties by the King of the Sandwich Islands, who shall cause them to enjoy impartially, in all cases in which their interests are concerned, the same rights and privileges as natives, or as are enjoyed by any other foreigners.

III. No British subject accused of any crime whatever shall be judged otherwise than by a jury composed of foreign residents, proposed by the British consul and accepted by the Government of the Sandwich Islands.

IV. The protection of the King of the Sandwich Islands shall be extended to all British vessels, their officers, and crews. In case of shipwreck, the chiefs and inhabitants of the different parts of the Sandwich Islands shall succour them and secure them from plunder.

The salvage dues shall be regulated, in case of difficulties, by arbitrators freely chosen by both parties.

V. The desertion of seamen embarked on board of British vessels shall be severely repressed by the local authorities, who shall employ all the means at their disposal to arrest deserters; and all reasonable expenses of capture shall be defrayed by the captains or owners of the said vessels.

VI. British merchandise, or goods recognized as coming from the British dominions, shall not be prohibited, nor shall they be subject to an import duty higher than 5 per cent *ad valorem*.

VII. No tonnage, import, or other duties shall be levied on British vessels or goods, or on goods imported in British vessels, beyond what are levied on the vessels or goods of the most favored nation.

VIII. The subjects of the King of the Sandwich Islands shall, in their commercial and other relations with Great Britain, be treated on the footing of the most favored nation.

Done at Lahaina, the 12th day of February, 1844.

[L. S.]	WM. MILLER.
[L. S.]	KAMEHAMEHA III.
[L. S.]	KEKAULUOHI.

Signed in the presence of:

G. P. JUDD,

Secretary of State for Foreign Affairs.

ROBERT C. WYLLIE,

Secretary to Consul-General Miller.

* Signed in English, and in the language of the Sandwich Islands.

† Annulled by Convention of March 26, 1846, Vol. xxxiv, p. 22

ADDITIONAL ARTICLE.

His Majesty the King of the Hawaiian Islands being anxious to suppress intemperance within his dominions, and with that view having taken measures to obtain the consent of the French Government to the abrogation of Article VI of the treaty of July 17, 1839,* which admits the introduction of spirits and wine, on payment of a duty of 5 per cent; it is hereby further agreed, that if His Majesty the King of the French should consent to the abrogation or to any alteration of the said article, Her Majesty the Queen of Great Britain will likewise consent so to alter Article VI of the foregoing treaty as that it may have precisely the same effect in what relates to intoxicating liquors; and that this additional article shall be referred to the British Government for approval, to be afterward appended to the convention at present agreed to.

[L. S.]	WM. MILLER.
[L. S.]	KAMEHAMEHA III.
[L. S.]	KEKAULUOHL.

CASE OF JOHN WILEY.

[Before the governor of Oahu, assisted by Hon. G. P. Judd and J. Ricord, esq., H. M. attorney-general, at the Fort, September 4, 1844.]

John Wiley, plaintiff on appeal, vs. The Hawaiian Government.

This was an appeal from the judgment of the inferior judges of Honolulu. The present plaintiff in error had been charged before the court below with the commission of a rape upon the body of ———, an Hawaiian girl, a subject of His Majesty; and proof having been adduced to the satisfaction of the inferior judges, they condemned the present plaintiff in error to pay the statute fine of \$50. This fine the plaintiff having paid, he appealed to the governor, and demanded a jury under the Hawaiian statute law, complying therewith by depositing the sum of \$25, required by the statute to entitle him to a jury. The governor having given the usual notice of drawing the jury of appeal, he proceeded on the day appointed to draw a mixed jury of half Hawaiian subjects and half foreigners, required in such cases by the printed statute law. In the interval William Hooper, esq., claimed for his Government the right of selecting and proposing to the governor an entire panel of foreign jurors, to try the accused for the crime charged against him, which the governor declined on the ground that he was governed in his administration of justice by the printed law of the land and that there was no treaty extant between His Hawaiian Majesty and the United States of America which authorized him to deviate from the statute.

On the day of trial above named the plaintiff Wiley appeared by his attorney, Richard Ford, and in person, and expressed his readiness to proceed to trial, but before the jury were actually impaneled William Hooper, esq., United States commercial agent, appeared before

*VI. Les marchandises françaises, où reconnues être de provenance française, notamment les vins et les eaux-de-vie, ne pourront être prohibées ni payer un droit d'entrée plus élevé que 5 pour cent *ad valorem*.

the court and made out and desired to have entered on its minutes the following protest:

Before the court proceeds to the trial of Mr. Wiley, I beg to state that by a treaty entered into between this Government and that of Great Britain, on the 12th February last, the subjects of the latter were secured in the privilege of being tried, when charged with crime against the laws of this country, by a jury appointed by their consul, that I claim, in virtue of the assurance given to Mr. Brown, the United States commissioner, by His Majesty the King in October last, which secured to citizens of the United States equal privileges with those of the most favored nation, that Mr. Wiley, the defendant, is entitled to a jury appointed by me, as acting United States consul.

The court, as at present constituted, I protest against, and request that it may be entered on the records of the court.

WM. HOOPER,
Acting United States Consular Agent.

HONOLULU, *September 4, 1844.*

Upon which protest the court decided as follows:

The decision of this court upon the protest of William Hooper, esq., vice-commercial agent of the United States, now entered on the minutes, is, that there is a law in the statute books of this Government, which the accused is charged with having violated, and that at the time of violating that statute there was and still is, also in the statute book, a law regulating the drawing of juries in the Hawaiian Islands, which is obligatory upon this court. This court knows of no treaty extant with the United States that authorizes it, under the oaths of the judges, to depart from the law concerning juries, and it can not conscientiously take cognizance of any diplomatic correspondence between the Secretary of State for foreign affairs and the resident ministers of other powers; nor is this court authorized to look into treaties with other powers for the purpose of according analogous privileges to a nation not actually in treaty with His Hawaiian Majesty, especially when according them would infract a statute law by which this court is clearly bound.

The plaintiff, John Wiley, is under the protection of this court, who are bound to give him the chances of the jury box, and not suffer a foreign consul to pick a jury who might be selected to convict him.

Hereupon, before the jury were actually sworn, the United States vice-commercial agent advised the plaintiff to withdraw his appeal, which he accordingly did, and the court thereupon nonsuited the plaintiff and decided that his withdrawal was, in law, tantamount to an affirmance of the judgment of the inferior judges, which had been already satisfied, and they further adjudged the plaintiff to have forfeited the \$25 deposited for drawing the jury of appeal. The court intimated that William Hooper, esq., was liable to the plaintiff in error for having misguided him in a manner prejudicial to his private rights, and left him to his remedy.

Mr. Calhoun to Mr. Brown.

No. 4.]

DEPARTMENT OF STATE,
Washington, January 20, 1845.

SIR: Your dispatches to No. 16, inclusive, have been received. It is to be regretted that a case like that of Mr. John Wiley, to which the last principally relates, should have occurred so soon after the recognition of the Hawaiian Government by that of the United States. Your course in regard to it is approved by the President, who concurs in the views which you express. Notwithstanding the United States have no treaty stipulation with the Government of the islands, they can not, under the circumstances, consent that the privilege of being tried by a jury of foreigners shall be withheld from our citizens while it is accorded

to the subjects of Great Britain and France. We have every reason to expect our citizens shall have, in the dominions of that Government, the same privileges as the citizens or subjects of the most favored nation. You will accordingly communicate these views to the minister for foreign affairs and repeat, in the name of the Government of the United States, your firm protest against the proceedings of the Hawaiian authorities in regard to Mr. Wiley, assuring him in the strongest terms that the United States will not submit to discrimination so unjust in their nature and so unfriendly in spirit as respects their citizens, and that the Government of the islands will be held responsible for all damages which may have been sustained in this case, or which may hereafter be sustained by citizens of the United States under similar circumstances.

The United States, if it be desired by the Hawaiian Government, are willing to enter into treaty stipulations on the basis of those now existing between it and Great Britain, and I herewith transmit to you full powers to conclude such a convention. But it is to be understood that the treaty is not to bar the claim for damages in the case of Mr. Wiley (if any have been sustained), nor of any citizen or citizens of the United States for injuries accruing prior to its adoption, should it be made. I have further to say that if Great Britain or France should hereafter consent, in cases involving the rights of their respective citizens, to a trial by jury *de mediatate lingua*, the United States would be willing to make the same concession. But, whether there be or be not treaty stipulations between us and the Islands, the United States can never consent that their citizens should be put on any other footing than those of the most favored nations.

I have the honor to be, with highest respect, sir, your obedient servant,

J. C. CALHOUN.

[Translation.]

Treaty of peace, amity, and commerce between France and the Sandwich Islands, signed at Honolulu, March 26, 1846.

Time having shown the expediency of substituting a general treaty for the various conventions mutually concluded heretofore by France and the Sandwich Islands, the French and Hawaiian Governments have mutually agreed upon the following articles, and have signed them, after acknowledging and decreeing that all other treaties and conventions now existing between the contracting parties, shall be hereafter considered as void and of no effect.

ARTICLE 1. There shall be perpetual peace and friendship between His Majesty the King of the French and the King of the Sandwich Islands, and between their heirs and successors.

ART. 2. The subjects of His Majesty the King of the French, residing in the possessions of the King of the Sandwich Islands, shall enjoy, as to civil rights, and as regards their persons and their property, the same protection as if they were native subjects, and the King of the Sandwich Islands engages to grant them the same rights and privileges as those now granted, or which may be granted hereafter, to the subjects of the most favored nation.

ART. 3. Any Frenchman accused of any crime or offense shall be

tried only by a jury composed of native residents, or of foreigners proposed by the consul of France, and accepted by the Government of the Sandwich Islands.

ART. 4. The King of the Sandwich Islands will extend his protection to French vessels, their officers and crews. In case of shipwreck, the chiefs and inhabitants of the various parts of the Sandwich Islands must lend them assistance and protect them from all pillage.

The salvage dues will be settled, in case of difficulty, by umpires appointed by both parties.

ART. 5. Desertion of sailors employed on board French vessels, will be severely repressed by the local authorities, who must use every means at their command to arrest the deserters. All expenses, within just limits, incurred in their recapture, will be refunded by the captain or owners of the said vessels.

ART. 6. French goods, or those recognized as coming from French possessions, can not be prohibited nor subjected to a higher import duty than five per cent ad valorem. Wines, brandies, and other spirituous liquors are excepted, and may be subjected to any just duties which the Government of the Sandwich Islands may think proper to impose upon them, but on condition that such duty shall never be high enough to become an absolute obstacle to the importation of the said articles.

ART. 7. Tonnage and import duties and all other duties imposed upon French vessels, or upon merchandise imported in French vessels, must not exceed the duties imposed upon the vessels or merchandise of the most favored nation.

ART. 8. The subjects of the King of the Sandwich Islands will be treated upon the footing of the most favored nation in their commercial or other relations with France.

Made at Honolulu, March 26, 1846.

[L. S.]

EM. PERRIN,
Consul of France,

Charged with a special mission to the Sandwich Islands.

[L. S.]

R. C. WYLLIE,
His Hawaiian Majesty's Minister of Foreign Relations.

Mr. Buchanan to Mr. Ten Eyck, August 28, 1848.

[Extracts.]

Mr. Calhoun, in a note addressed to Messrs. Richards and Haalilio, the Hawaiian commissioners, dated on the 6th July, 1844, informed them that "the President regarded his message to Congress of the 31st December, 1842, the proceedings of the House of Representatives thereon, and the appropriation made for the compensation of a commissioner of the United States, who was subsequently appointed to reside in the islands, as a full recognition on the part of the United States of the independence of the Hawaiian Government." Besides, the letter of President Polk to the King which you bore with you, dated on the 10th September, 1845, treated him as an independent sovereign.

This Government, having thus pledged itself to accord to that of the Hawaiian Islands the rights and privileges of a sovereign state, can not in honor or justice demand from it anything which, under like circumstances, it would not demand from the most powerful nations. I

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can discover nothing which would justify this Government in objecting to the decisions of the Hawaiian courts in ordinary cases arising under the municipal laws of the country or in dictating the policy which that Government should pursue upon any domestic subject, and especially that of the tenure of real estate by resident foreigners.

* * * * *

For these reasons it is my conviction that if, in a conciliatory spirit, you would devote your efforts to acquire a just and honorable influence over the Hawaiian authorities, you might accomplish the object. Such a result would be highly advantageous to both countries. You might thus by your counsel and advice render the Hawaiian Government as well as the citizens of your own country important services. We ardently desire that the Hawaiian Islands may maintain their independence. It would be highly injurious to our interests if, tempted by their weakness, they should be seized by Great Britain or France; more especially so since our recent acquisitions from Mexico on the Pacific Ocean.

* * * * *

Having been the first to welcome the Hawaiian Islands into the community of nations, it is our true policy, weak and feeble as they are, to treat them with as much kindness and forbearance as may be consistent with the maintenance of our own just rights. Such is the opinion of the President.

* * * * *

Mr. Ten Eyck to Mr. Buchanan.

No. 55.]

OFFICE UNITED STATES COMMISSION,
Honolulu, September 3, 1849.

SIR:

* * * * *

Having waited until the 1st of August last, and the *Savannah* not yet arriving, and a good opportunity offering to return, I left San Francisco at that time and reached this place on Saturday, the 25th ultimo, in time to witness the landing of an armed force from the French men-of-war in and off the harbor, who took possession of the fort and other public buildings and property belonging to the Sandwich Islands Government in consequence of the Government having refused compliance with certain demands made upon it by the French admiral and the resident French consul. I have in my letter to Commander Jones, of the 31st ultimo (copy of which is hereto annexed), given a brief history of the proceedings of the French.

Mr. Turrill, our consul (with whom this Government has held official correspondence since its resolutions of December last, suspending official intercourse with the U. S. Commissioner), has neglected to furnish me with any documents or correspondence received by him in relation to the difficulties between the French and the islands' Government, although I have made a written request upon him therefor, "in order," as I stated to him, "that I might be enabled to determine whether the dignity and honor of the Government I serve, her rights, or the rights

and interests of her citizens required any, and if any what, official action at my hands, and also that I might be enabled understandingly to advise the State Department fully upon the matter." In consequence I am unable to state to you the demands made by the French, the grounds upon which they are based, the reasons for noncompliance on the part of the islands' authorities, or to give any opinion upon the merits of the controversy between the parties.

I am advised by Mr. Turrill that an expose of the whole difficulty will be published in a few days by the authorities here, in pamphlet form, when I will forward a copy. Mr. Turrill advises me, also, that he intends forwarding manuscript copies of all the correspondence to your Department.

I am waiting very anxiously the arrival of my successor, that I may be relieved and get finally away from all connection with this Government. If ever a foreign representative has been neglected and abused by the administration at Washington then have I been by Mr. Polk's, and all simply because Mr. Buchanan had the manliness to sacrifice me by censuring my official conduct (in laboring to follow out his instructions) in the vain hope of advancing his own political interests with the American Board of Foreign Missions, and of securing himself from the just charge of neglect and inattention to his public duties in connection with this legation.

I hope, most certainly, to see Mr. Eames here in all this month. If he does not reach here by the 1st October I shall feel that I am under no obligation to remain longer, and shall leave the archives of the legation in the hands of some trusty American resident, to be delivered to my successor on his arrival.

During my absence from here nothing of any public interest had occurred up to the time of the arrival of the French admiral. Three or four of our whale fleet have returned here from their hunting grounds near the Japan and Northwest Coast. Those now here are bound home, having met with good success. Within the next six weeks 100 or 200 whaleships will have arrived at the different ports of these islands for recruits. The native population continues to disappear very rapidly. It is estimated that 16,000 or 18,000 have died within the last ten or eleven months, out of a population not exceeding 70,000.

I have the honor, etc.,

A. TEN EYCK.

SEPTEMBER 4, 1849.

P. S.—I was just on the point of closing this dispatch when I received a note from the French consul (copy of which is hereto annexed). Mr. Turrill not having condescended to furnish me with a copy of his correspondence with the French admiral, to which allusion is made in the French consul's note, I can do no more than simply acknowledge the receipt of the French consul's note, with the assurance that a copy will be forwarded to the proper department of the Government of the United States.

A. T. E.

Mr. Ten Eyck to Commodore Jones.

[Inclosure in No. 55.]

OFFICE UNITED STATES COMMISSION,
Honolulu, August 31, 1849.

SIR: On Saturday last, the 25th inst., I reached this place on my return from California, just in time to witness the landing of a body of armed men from the French frigate the *Poursuivant* and the French steamer *Gassendi*.

It seems that the Admiral de Tromedin had arrived here about the 18th instant from Callao, and the day after the steamer arrived from Tahiti. Under the advice of M. Dillon, the resident French consul, the admiral requested an audience of the King for the purpose of discussing certain differences existing between the French consul and the King's Government. This request the King, by the advice of his ministers, refused. The admiral then, as I understand it, made ten formal demands in writing upon the King's Government and gave them three days to consider and accede to them, advising the King that if they were not complied with within that time he should land a force and take possession of the fort and other Government property. The Government refused compliance with the admiral's demands, and accordingly, on Saturday last, at 3 p. m., he landed a force and took possession of the fort, the custom-house, and the Honolulu House (where the ministers have their offices). He also took possession of the Government schooner, the *Kamehameha*, and all the small craft in port under the Sandwich Islands flag. All this was done without the slightest opposition being offered by the authorities, the Government, in fact, having ordered that no resistance should be made to any proceedings instituted or conducted by the French forces.

Thus matters continued until Wednesday last, when the French guards were withdrawn from the custom-house and the Honolulu House, and all the vessels seized, except the Government schooner, were released. During this day the marines in possession of the fort amused themselves by destroying the powder, the large and small firearms, and whatever property they could find, and towards evening finally marched out and returned on board their vessels. While the French forces were on shore a deputation from the Government visited the admiral on board the steamer, but without any favorable result.

M. Dillon had only on Saturday placed his family on board the steamer, and at 3 p. m. hauled down the flag of the consulate, and himself went on board the same vessel. This was the signal for the landing of the French forces.

The demands made by the admiral, the response of the Government, and all the correspondence is, I understand, in process of publication; as soon as I can procure a copy I will forward it. I understand from Mr. Turrill, our consul, that this Government have furnished him manuscript copies, which, with a protest sent by him to the admiral, against his proceedings, he will forward you and the Secretary of State.

M. Dillon and family leave for France in the admiral's ship early next week, via San Francisco. I forward this by him. What the result of this proceeding on the part of the French forces may be, or what effect it may have upon the future political interests and independence of this Government, is a matter of uncertainty.

I fear it will tend to hasten the consummation of the intrigues of Mr. Wyllie, the King's minister of foreign relations, and General Miller,

the English consul-general, by inducing the King, ere long, to place himself under the protection of the English. Dr. Judd and the American missionaries will, I believe, counsel this course rather than permit the King to submit to any exactions conflicting with his and their views and policy. During all this proceeding, and while negotiations were being attempted, the English consul-general was constantly consulted and his advice generally followed by the Islands authorities.

Mr. Turrill having failed to put me in possession of the papers received by him from this Government, or of copies of his correspondence relating to these difficulties, although I had requested them from him, I am unable to express any opinion upon the merits of the controversy between the French and the Sandwich Islands Government.

So far as the conduct of the French in destroying the Government property in the fort is concerned, I do not hesitate to condemn it.

The *Preble* is still here. Capt. Glynn will, of course, report to you the condition of his crew. It must be anything but encouraging, judging from what I have seen and hear of their sickness. The French steamer will leave for Tahiti, taking the King's schooner in company, at the same time that the frigate sails for San Francisco.

I have the honor, etc.,

A. TEN EYCK.

SEPTEMBER 4, 1849.

P. S.—I have opened this to say that the United States revenue brig *C. W. Lawrence*, Capt. Fraser, has just arrived, forty-five days from Valparaiso.

A. T. E.

No. 30.]

CONSULATE OF THE UNITED STATES

FOR THE HAWAIIAN ISLANDS,

Honolulu, September 4, 1849.

SIR: Rear-Admiral Tromelin arrived here on the 13th August, in the frigate *La Poursuivante*. The French steamer *Gassendi* entered this port on the day following.

The admiral, on his first arrival, evinced a most friendly disposition, and it was for a while confidently believed that, notwithstanding the embittered feelings of the consul of France, no hostile demonstrations would be made. It was soon apparent, however, that the admiral had placed himself under the control of the consul and would be merely an instrument in his hands.

On the 22d of last month demands were made upon this Government jointly by the admiral and the consul. On the 25th this Government sent answers to these demands, declining to comply with the same. On the afternoon of that day troops were landed, the fort taken possession of, and a guard stationed around two public buildings. No opposition whatever was made to the troops. The French held the fort until the 30th, when they abandoned it, destroying everything connected therewith, and doing much damage to the governor's house and the furniture in it.

During the time the fort was thus occupied by the French unavailing efforts were made, through the medium of commissioners, to effect an amicable settlement of existing difficulties.

I herewith inclose a copy of the correspondence between Admiral Tromelin and myself, also a copy of the proceedings between this Gov-

ernment and the admiral and consul, so far as they have been printed. I also send a copy of a letter addressed to me by the minister of foreign affairs, in relation to the mediation of the President of the United States, and my answer to the same.

H. B. M. consul-general protested in strong terms against the proceedings of the admiral, and three consuls of the smaller powers also remonstrated against the same. The course taken by the consuls no doubt had a very beneficial effect. Supposing that you may receive a communication upon that subject, I send herewith a copy of the correspondence between Mr. Ten Eyck and myself.

It has ever been the desire and aim of this Government, I believe, to observe faithfully all the provisions of the treaty with France, and they have undoubtedly done so. Why, then, have these demands been made? To one residing here, who has noticed passing events attentively for a year or two past, this question is by no means difficult of solution. Soon after his arrival in Honolulu, the consul of France set on foot certain political intrigues, the object of which was to eject from office one of the King's ministers, for the purpose, as is confidently believed, of providing a place for himself. Failing in these efforts he became embittered against the King's advisers, and seemed determined to gratify his feelings at the expense of this nation.

The assault made by the admiral upon this weak, this Christian nation, was unprovoked, and admits of no excuse. There is not one paliating circumstance attending it. When the facts and circumstances connected therewith shall be fully known, the whole civilized world will place upon it the mark of condemnation.

I have the honor to be, very respectfully, your obedient servant,
J. TURRILL.

Hon. JOHN M. CLAYTON,
Secretary of State, Washington, D. C.

[Translation.]

ADMIRAL'S FRIGATE OF THE FRENCH REPUBLIC,
LA POURSUIVANTE,
*Naval Station of the French Republic in the Pacific Ocean,
Honolulu, August 23, 1849.*

MR. THE CONSUL: The Hawaiian Government, especially in latter times, violated the treaty concluded between France and the Sandwich Islands in a manner which requires a prompt and complete reparation, which divers acts of which some French citizens have been the victims render still indispensable.

I have taken, in concert with Mr. the consul of the French Republic in the Sandwich Islands, all the measures compatible with the dignity of France to obtain an amicable arrangement, but the obstinacy of the Hawaiian Government appeared to wish to force me to make use of the means at my disposal to oblige it to understand the voice of reason and justice.

In this circumstance and agreeably to the conclusions of the ultimatum sent by me, in concert with Mr. the Consul Dillon, I have the honor of advising you that the delay for the Hawaiian Government to make its answer known will expire on August 25, instant, Saturday, at 3 p. m., after which delay, if the Government of His Majesty Kamehameha

III does not give me a complete satisfaction, it will only remain for me to reclaim by force what I have demanded at first through the pacific way of correspondence, and which I have not been able to obtain by means of a conference, which has been refused to me.

In informing you of their disposition, Mr. the Consul, I ought to give you here the assurance that the French Republic neither looks to an occupation or a protectorate of the Hawaiian archipelago, but to a complete reparation. I shall give the necessary orders that, in the case of hostilities taking place, the commerce of American proprietors shall be respected as ought to be that of a friendly nation.

I have the honor to invite you to make these dispositions known to your fellow citizens, in order that they may take from this day the necessary measures, on their part, to put themselves out of the risk of all hazards that may result from the operations which I may have to order against Honolulu.

I pray you to acknowledge the receipt of this notification.

Mr. the Admiral, commander-in-chief of the naval station of the French Republic in the Pacific ocean.

LEGOARANT DE TROMELIN.

To Mr. the Consul of the United States of America in the Sandwich Islands, at Honolulu.

UNITED STATES CONSULATE FOR THE HAWAIIAN ISLANDS,
Honolulu, August 24, 1849.

SIR: I did myself the honor this morning of acknowledging the receipt of yours of yesterday and in doing so I took occasion to remark that I would reply to your communication as soon as I could procure a correct translation of the same.

As far as I have been able to do so, I have communicated the contents of your letter to my countrymen, but I can not well advise them what to do, as I am not made acquainted with the nature of the hostile measures, if any, that are to be used. If the town is to be bombarded, it will be necessary for them to remove their families and valuable effects, to places of safety; but I do not wish to have them put to the great expense and inconvenience of doing so unless the course you may ultimately take shall render that necessary.

Since the receipt of your letter, I have examined with much care the several demands which, in connection with the consul of France, you have thought proper to make upon the Hawaiian Government, and I have heretofore read attentively the voluminous correspondence of France and this Government in relation to the claims upon which those demands rest.

By that correspondence I am informed that as early as last April a large proportion of those claims, and I believe all that had then been agitated, were, by a resolution of the King in council, referred for final adjustment "direct to the minister of foreign affairs of France," and, although the fact be not material to perfect the case, I will add that it appears from the same correspondence that the consul of France assented to that reference.

I am also advised from a source entitled to full credit that some months ago—the exact time I do not recollect—the King appointed a special commissioner to proceed to France for the express purpose of effecting an amicable adjustment of those claims. This reference, beyond all question, removed the claims direct to France for settlement,

and placed them entirely beyond the jurisdiction of the consul or of any other subordinate agent of the French Republic.

But, viewing the case as disconnected with the reference, I beg leave to remark that I have searched through the whole of that correspondence in vain to discover a single instance in which either the letter or the spirit of the existing treaty has been violated by the Hawaiian Government. If there be such an instance, the consul of France has failed to point it out.

The demands which have been thus made upon this Government are, in my judgement, in direct opposition to the plain provisions of the treaty, and the enforcing them in the manner indicated would be a palpable violation of the law of nations.

As the course you have advised me that circumstances may induce you to pursue must of necessity seriously affect the great American interests connected with these islands, it becomes my imperative duty as a representative of the United States to interpose my solemn protest against it, which I now do, and I shall lose no time in communicating to the President of the United States the facts and circumstances attending this case.

With the ardent hope that the pending difficulties may yet be amicably disposed of,

I have the honor to remain, sir, etc.,

J. TURRILL,
United States Consul.

LEGOARANT DE TROMELIN,
*Rear-Admiral and Commander-in-Chief
of the Naval Forces of the Republic of France
in the Pacific Ocean.*

[Translation.]

ADMIRAL'S FRIGATE OF THE FRENCH REPUBLIC,
THE POURSUIVANTE,
*Naval Station of the French Republic in the
Pacific Ocean, off Honolulu, the 25th August, 1849.*

MR. THE CONSUL: In acknowledging receipt of your letter of yesterday's date, I have the honor of testifying to you the surprise which its perusal has occasioned to me. I had not only not given you any communication of my demands on the Hawaiian Government, but further, the policy of the American Government made it your duty to not interfere officially in our affairs with the administration of His Majesty Kamehameha III, for you know as well as I that the United States of America has made it to themselves a law of not mixing ever in the affairs of other nations, and especially those of France, their ancient and their most faithful ally.

I ought to advise you that I believe it to be my duty to communicate your precited dispatch to the Government of the French Republic.

I renew to you, Mr. the Consul, the assurance of my very distinguished consideration.

The rear admiral, commander-in-chief of the naval forces of the French Republic in the Pacific Ocean,

LEGORANT DE TROMELIN.

To Mr. the Consul of the United States of America in the Sandwich Islands, Honolulu.

UNITED STATES CONSULATE,
FOR THE HAWAIIAN ISLANDS,
Honolulu, August 27, 1849.

SIR: I have the honor to acknowledge the receipt of yours of the 25th instant, a translation of which was not obtained in time to give it an answer on Saturday, the day it bears date.

You are right in supposing it not to be the policy of the United States to mix in the affairs of other nations. But when a case like the one under consideration occurs, and I clearly see that the course military power is to take against this weak nation must greatly injure my countrymen and seriously embarrass the extensive American commerce connected with these islands, it becomes my duty so far to interfere officially as to interpose my protest; and in doing so I doubt not my course will meet the entire approbation of the President of the United States.

I have the honor to remain, sir, etc.,

J. TURRILL.

LEGORANT DE TROMELIN,
*Rear-Admiral and Commander in Chief
of the Naval Forces of the French Republic
in the Pacific Ocean.*

SEPARATE AND URGENT.]

FOREIGN OFFICE,
August 25, 1849.

SIR: The King, my master, commands me to convey to you, for your information, and that of your Government, the inclosed copies of the peremptory demands made on the 22d instant by the admiral and the consul of France, and of the replies to the same, which I have sent by His Majesty's command.

It is not believed that any consequences can justly ensue endangering the lives and properties of American citizens, which His Majesty will protect, so long as His Sovereign authority and the empire of his laws are respected. When that period ceases, His Majesty's power to protect will cease also, and it will be for you, as consul of the United States, representing that Government, to act as you may consider to be necessary.

It may be of importance for you to know that by command of the King I addressed, on the 22d instant, by the *James Monroe* a request in His Majesty's name, through his special commissioner, James Jackson Jarves, esquire, for the friendly mediation of his excellency the President of the United States with the Government of France, in regard to all demands made or that may be made upon the Government by the consul and admiral of the French Republic, and to obtain this favor the King commands me to request your good offices.

With the highest respect, etc.,

R. C. WYLLIE.

JOEL TURRILL, Esq.,
United States Consul, etc.

P. S.—In case His Excellency the President of the United States should be objected to as a mediator, or decline to act as such, a similar note, with a similar intent, is now passed to H. B. M. consul-general. The King engages to ratify and abide by the award of His Excellency

the President of the United States, or of the British Government, acting either solely or jointly upon all points that may not be agreed upon between the French Government and the King's special commissioner, James Jackson Jarves, esq.

R. C. W.

UNITED STATES CONSULATE,
Honolulu, August 25, 1849.

SIR: I have the honor of acknowledging the receipt of your despatch bearing even date herewith, inclosing copies "of the peremptory demands made on the 22d instant by the admiral and the consul of France, and of the replies to the same," and informing me that you had by command of the King, on the 22d of this month, addressed a request in His Majesty's name, through his special commissioner, James Jackson Jarves, esq., for the friendly mediation of His Excellency the President of the United States with the Government of France, in regard to all demands made or that may be made upon this Government by the consul and admiral of the French Republic, and to obtain this favor the King commands you to request my "good offices." You also inform me that a similar note has been addressed by you to H. B. M. consul-general, soliciting the mediation of England, stating that the King engages to ratify and abide by the award of the President of the United States or of the British Government, acting either solely or jointly on all points that may not be agreed upon between the French Government and the King's special commissioner. You may assure His Majesty the King, that I will cheerfully do anything in my power to aid in bringing about an amicable adjustment of existing difficulties, and for that purpose shall lose no time in sending to the President of the United States a copy of your despatch, accompanied with such remarks as I may deem necessary.

I received a letter from Rear-Admiral Legoarant de Tromelin on the 24th instant, bearing date the 23d, in which he states that "the Hawaiian Government, especially in latter times, violated the treaty conducted between France and the Sandwich Islands in a manner which requires a prompt and complete reparation, which divers acts, of which some French citizens have been the victims, render still indispensable."

And the admiral advised me, among other things, that unless the Hawaiian Government should comply with the ultimatum sent by him in concert with the consul of France, by 3 o'clock p. m. this day, that force would be used.

Believing that the admiral had been misinformed in relation to the violation of the treaty, and knowing that the use of force for the purpose and in the manner indicated by him would greatly injure American commerce in the Pacific Ocean, I expressed in decided terms in my answer to the admiral's letter, which bears date of the 24th instant, the opinion that neither the letter nor spirit of the treaty had been violated by the Hawaiian Government, and I protested against the enforcing of the demands in the manner indicated by the admiral.

I shall lose no time in making the President of the United States fully acquainted with the course I have taken in relation to the proceedings of the admiral and the consul of France.

I have the honor to be, etc.,

J. TURRILL.

His Excellency R. C. WYLLIE,
Minister of Foreign Relations, etc., Honolulu.

A treaty of friendship, commerce, and navigation, between the United States of America and His Majesty the King of the Hawaiian Islands. concluded at Washington, 20th December, 1849—Ratified 4th February, 1850—Exchanged 24th August, 1850—Proclaimed 9th November, 1850.

Whereas a treaty of friendship, commerce, and navigation, between the United States of America and His Majesty the King of the Hawaiian Islands, was concluded and signed at Washington on the twentieth day of December, in the year of our Lord one thousand eight hundred and forty-nine, the original of which treaty is, word for word, as follows:

The United States of America and His Majesty the King of the Hawaiian Islands, equally animated with the desire of maintaining the relations of good understanding which have hitherto so happily subsisted between their respective states, and consolidating the commercial intercourse between them, have agreed to enter into negotiations for the conclusion of a treaty of friendship, commerce, and navigation, for which purpose they have appointed plenipotentiaries, that is to say: The President of the United States of America, John M. Clayton, Secretary of State of the United States, and His Majesty the King of the Hawaiian Islands, James Jackson Jarves, accredited as his special commissioner to the Government of the United States, who, after having exchanged their full powers, found in good and due form, have concluded and signed the following articles.

ARTICLE I.

There shall be perpetual peace and amity between the United States and the King of the Hawaiian Islands, his heirs and his successors.

ARTICLE II.

There shall be reciprocal liberty of commerce and navigation between the United States of America and the Hawaiian Islands. No duty of customs or other impost shall be charged upon any goods the produce or manufacture of one country, upon importation from such country into the other, other or higher than the duty or impost charged upon goods of the same kind the produce or manufacture of or imported from any other country; and the United States of America and His Majesty the King of the Hawaiian Islands do hereby engage that the subjects or citizens of any other state shall not enjoy any favor, privilege, or immunity whatever, in matters of commerce and navigation, which shall not also at the same time be extended to the subjects or citizens of the other contracting party, gratuitously, if the concession in favor of that other state shall have been gratuitous, and in return for a compensation, as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

ARTICLE III.

All articles the produce or manufacture of either country, which can legally be imported into either country from the other, in ships of that other country, and thence coming, shall, when so imported, be subject to the same duties and enjoy the same privileges, whether imported in ships of the one country or in ships of the other; and, in like manner,

all goods which can legally be exported or reexported from either country to the other, in ships of that other country, shall, when so exported or reexported, be subject to the same duties and be entitled to the same privileges, drawbacks, bounties, and allowances, whether exported in ships of the one country or in ships of the other; and all goods and articles, of whatever description, not being of the produce or manufacture of the United States, which can be legally imported into the Sandwich Islands, shall, when so imported in vessels of the United States, pay no other or higher duties, imposts, or charges than shall be payable upon the like goods and articles when imported in the vessels of the most favored nation, other than the nation of which the said goods and articles are the produce or manufacture.

ARTICLE IV.

No duties of tonnage, harbor, light-houses, pilotage, quarantine, or other similar duties, of whatever nature, or under whatever denomination, shall be imposed in either country upon the vessels of the other, in respect of voyages between the United States of America and the Hawaiian Islands, if laden, or in respect of any voyage, if in ballast, which shall not be equally imposed in the like cases on national vessels.

ARTICLE V.

It is hereby declared that the stipulations of the present treaty are not to be understood as applying to the navigation and carrying trade between one port and another situated in the States of either contracting party, such navigation and trade being reserved exclusively to national vessels.

ARTICLE VI.

Steam vessels of the United States, which may be employed by the Government of the said States in the carrying of their public mails across the Pacific Ocean, or from one port in that ocean to another, shall have free access to the ports of the Sandwich Islands, with the privilege of stopping therein to refit, to refresh, to land passengers and their baggage, and for the transaction of any business pertaining to the public mail service of the United States, and shall be subject, in such ports, to no duties of tonnage, harbor, light-houses, quarantine, or other similar duties, of whatever nature or under whatever denomination.

ARTICLE VII.

The whale ships of the United States shall have access to the ports of Hilo, Kealahakua, and Hanalei, in the Sandwich Islands, for the purposes of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which only are ports of entry for all merchant vessels; and in all the above-named ports they shall be permitted to trade or barter their supplies of goods, excepting spirituous liquors, to the amount of two hundred dollars *ad valorem* for each vessel, without paying any charge for tonnage or harbor dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like exemption from all charges for tonnage and harbor dues, further to trade or barter, with the same exception as to spirituous liquors, to the additional amount of

one thousand dollars *ad valorem* for each vessel, paying upon the additional goods and articles so traded and bartered no other or higher duties than are payable on like goods and articles when imported in the vessels and by the citizens or subjects of the most favored foreign nation. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments; but they shall not discharge their seamen or land their passengers in the said islands, except at Lahaina and Honolulu; and in all the ports named in this article the whale ships of the United States shall enjoy, in all respects whatsoever, all the rights, privileges, and immunities which are enjoyed by, or shall be granted to, the whale ships of the most favored foreign nation. The like privilege of frequenting the three ports of the Sandwich Islands above named in this article, not being ports of entry for merchant vessels, is also guaranteed to all the public armed vessels of the United States. But nothing in this article shall be construed as authorizing any vessel of the United States having on board any disease usually regarded as requiring quarantine to enter, during the continuance of such disease on board, any port of the Sandwich Islands other than Lahaina or Honolulu.

ARTICLE VIII.

The contracting parties engage, in regard to the personal privileges, that the citizens of the United States of America shall enjoy in the dominions of His Majesty the King of the Hawaiian Islands, and the subjects of his said Majesty in the United States of America, that they shall have free and undoubted right to travel and to reside in the states of the two high contracting parties, subject to the same precautions of police which are practiced towards the subjects or citizens of the most favored nations. They shall be entitled to occupy dwellings and warehouses, and to dispose of their personal property of every kind and description, by sale, gift, exchange, will, or in any other way whatever, without the smallest hindrance or obstacle; and their heirs or representatives, being subjects or citizens of the other contracting party, shall succeed in their personal goods, whether by testament or *ab intestato*; and may take possession thereof, either by themselves or by others acting for them, and dispose of the same at will, paying to the profit of the respective Governments such dues only as the inhabitants of the country wherein the said goods are shall be subject to pay in like cases. And, in case of the absence of the heir and representative, such care shall be taken of the said goods as would be taken of the goods of a native of the same country in like case, until the lawful owner may take measures for receiving them. And if a question should arise among several claimants as to which of them said goods belong, the same shall be decided finally by the laws and judges of the land wherein the said goods are. Where, on the decease of any person holding real estate within the territories of one party, such real estate would, by the laws of the land, descend on a citizen or subject of the other, were he not disqualified by alienage, such citizen or subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all duties of detraction on the part of the Government of the respective states. The citizens or subjects of the contracting parties shall not be obliged to pay, under any pretence whatever, any taxes or impositions other or greater than those which are paid, or may hereafter be paid, by the subjects or citizens of the most favored nations, in the respective

states of the high contracting parties. They shall be exempt from all military service, whether by land or by sea; from forced loans; and from every extraordinary contribution not general and by law established. Their dwellings, warehouses, and all premises appertaining thereto, destined for the purposes of commerce or residence, shall be respected. No arbitrary search of or visit to their houses, and no arbitrary examination or inspection whatever of the books, papers, or accounts of their trade, shall be made; but such measures shall be executed only in conformity with the legal sentence of a competent tribunal; and each of the two contracting parties engages that the citizens or subjects of the other residing in their respective states shall enjoy their property and personal security in as full and ample manner as their own citizens or subjects, or the subjects or citizens of the most favored nation, but subject always to the laws and statutes of the two countries, respectively.

ARTICLE IX.

The citizens and subjects of each of the two contracting parties shall be free in the States of the other to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor, or agent; nor shall the citizens and subjects of the two contracting parties be restrained in their choice of persons to act in such capacities; nor shall they be called upon to pay any salary or remuneration to any person whom they shall not choose to employ.

Absolute freedom shall be given in all cases to the buyer and seller to bargain together and to fix the price of any goods or merchandise imported into, or to be exported from, the States and dominions of the two contracting parties, save and except generally such cases wherein the laws and usages of the country may require the intervention of any special agents in the States and dominions of the contracting parties. But nothing contained in this or any other article of the present treaty shall be construed to authorize the sale of spirituous liquors to the natives of the Sandwich Islands, further than such sale may be allowed by the Hawaiian laws.

ARTICLE X.

Each of the two contracting parties may have, in the ports of the other, consuls, vice-consuls, and commercial agents of their own appointment, who shall enjoy the same privileges and powers with those of the most favored nations; but if any such consuls shall exercise commerce, they shall be subject to the same laws and usage to which the private individuals of their nation are subject in the same place. The said consuls, vice-consuls, and commercial agents are authorized to require the assistance of the local authorities for the search, arrest, detention, and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall, in writing, demand the said deserters, proving, by the exhibition of the registers of the vessels, the rolls of the crews, or by other official documents, that such individuals formed part of the crews; and this reclamation being thus substantiated, the surrender shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the said consuls, vice-consuls, or commercial agents, and may be confined in the public

prisons, at the request and cost of those who shall claim them, in order to be detained until the time when they shall be restored to the vessel to which they belonged, or sent back to their own country by a vessel of the same nation, or any other vessel whatsoever. The agents, owners, or masters of vessels on account of whom the deserters have been apprehended, upon requisition of the local authorities, shall be required to take or send away such deserters from the States and dominions of the contracting parties, or give such security for their good conduct as the law may require. But if not sent back nor reclaimed within six months from the day of their arrest, or if all the expenses of such imprisonment are not defrayed by the party causing such arrest and imprisonment, they shall be set at liberty, and shall not be again arrested for the same cause. However, if the deserters should be found to have committed any crime or offence, their surrender may be delayed until the tribunal before which their case shall be depending shall have pronounced its sentence, and such sentence shall have been carried into effect.

ARTICLE XI.

It is agreed that perfect and entire liberty of conscience shall be enjoyed by the citizens and subjects of both the contracting parties, in the countries of the one and the other, without their being liable to be disturbed or molested on account of their religious belief. But nothing contained in this article shall be construed to interfere with the exclusive right of the Hawaiian Government to regulate for itself the schools which it may establish or support within its jurisdiction.

ARTICLE XII.

If any ships of war or other vessels be wrecked on the coasts of the States or Territories of either of the contracting parties, such ships or vessels, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored with the least possible delay to the proprietors, upon being claimed by them or by their duly authorized factors; and, if there are no such proprietors or factors on the spot, then the said goods and merchandise, or the proceeds thereof, as well as all the papers found on board such wrecked ships or vessels, shall be delivered to the American or Hawaiian consul or vice-consul in whose district the wreck may have taken place; and such consul, vice-consul, proprietors, or factors, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage and expenses of quarantine which would have been payable in the like case of a wreck of a national vessel; and the goods and merchandise saved from the wreck shall not be subject to duties unless entered for consumption, it being understood that in case of any legal claim upon such wreck, goods, or merchandise, the same shall be referred for decision to the competent tribunals of the country.

ARTICLE XIII.

The vessels of either of the two contracting parties which may be forced by stress of weather or other cause into one of the ports of the other shall be exempt from all duties of port or navigation paid for the

benefit of the State, if the motives which led to their seeking refuge be real and evident, and if no cargo be discharged or taken on board, save such as may relate to the subsistence of the crew, or be necessary for the repair of the vessels, and if they do not stay in port beyond the time necessary, keeping in view the cause which led to their seeking refuge.

ARTICLE XIV.

The contracting parties mutually agree to surrender, upon official requisition, to the authorities of each, all persons who, being charged with the crimes of murder, piracy, arson, robbery, forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall be found within the territories of the other, provided that this shall only be done upon such evidence of criminality as, according to the laws of the place where the person so charged shall be found, would justify his apprehension and commitment for trial if the crime had there been committed; and the respective judges and other magistrates of the two Governments shall have authority, upon complaint made under oath, to issue a warrant for the apprehension of the person so charged, that he may be brought before such judges or other magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge, it shall be the duty of the examining judge or magistrate to certify the same to the proper executive authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the party who makes the requisition and receives the fugitive.

ARTICLE XV.

So soon as steam or other mail packets under the flag of either of the contracting parties shall have commenced running between their respective ports of entry, the contracting parties agree to receive at the post-offices of those ports all mailable matter, and to forward it as directed, the destination being to some regular post-office of either country, charging thereupon the regular postal rates as established by law in the territories of either party receiving said mailable matter, in addition to the original postage of the office whence the mail was sent. Mails for the United States shall be made up at regular intervals at the Hawaiian post-office, and dispatched to ports of the United States, the postmasters at which ports shall open the same, and forward the inclosed matter as directed, crediting the Hawaiian Government with their postage as established by law, and stamped upon each manuscript or printed sheet.

All mailable matter destined for the Hawaiian Islands shall be received at the several post-offices in the United States and forwarded to San Francisco, or other ports on the Pacific coast of the United States, whence the postmasters shall dispatch it by the regular mail packets to Honolulu, the Hawaiian Government agreeing on their part to receive and collect for and credit the Post-Office Department of the United States with the United States' rates charged thereupon. It shall be optional to prepay the postage on letters in either country, but postage on printed sheets and newspapers shall, in all cases, be prepaid. The respective Post-Office Departments of the contracting

parties shall in their accounts, which are to be adjusted annually, be credited with all dead letters returned.

ARTICLE XVI.

The present treaty shall be in force from the date of the exchange of the ratifications, for the term of ten years, and further, until the end of twelve months after either of the contracting parties shall have given notice to the other of its intention to terminate the same, each of the said contracting parties reserving to itself the right of giving such notice at the end of the said term of ten years or at any subsequent term.

Any citizen or subject of either party infringing the articles of this treaty shall be held responsible for the same, and the harmony and good correspondence between the two Governments shall not be interrupted thereby, each party engaging in no way to protect the offender or sanction such violation.

ARTICLE XVII.

The present treaty shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate of the said States, and by His Majesty the King of the Hawaiian Islands, by and with the advice of his privy council of state, and the ratification shall be exchanged at Honolulu within eighteen months from the date of its signature, or sooner, if possible.

In witness whereof the respective plenipotentiaries have signed the same in triplicate and have thereto affixed their seals.

Done at Washington, in the English language, the twentieth day of December, in the year one thousand eight hundred and forty-nine.

JOHN M. CLAYTON, [SEAL.]
JAMES JACKSON JARVES. [SEAL.]

And whereas the said treaty has been duly ratified on both parts and the respective ratifications of the same were exchanged at Honolulu on the 24th day of August last, by Charles Bunker, consul of the United States at Lahaina, and R. C. Wyllie, minister of foreign relations of His Majesty the King of the Hawaiian Islands, on the part of their respective governments:

Now, therefore, be it known that I, Millard Fillmore, President of the United States, have caused the said treaty to be made public, to the end that the same, and every article and clause thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 9th day of November, in the year of our Lord 1850, and of the Independence of the United States the seventy-fifth.

[L. S.]

By the President:

W. S. DERRICK,

Acting Secretary of State.

S. Ex. 77—6

MILLARD FILLMORE.

Mr. G. P. Judd and Mr. James J. Jarves to Mr. Clayton.

WASHINGTON, May 30, 1850.

SIR: We have the honor to inclose for your perusal copies of certain documents relative to the late difficulties which have arisen between the Governments of France and the Hawaiian Islands.

Nos. 17, 18, and 19 relate to an application to the Government of Her Britannic Majesty in order to obtain their good offices in the adjustment of the points at issue. Nos. 20 and 21 relate to a new treaty with France.

From these you will perceive that the British Government have consented to use their good offices in favor of our Government. We are instructed to request the friendly interposition of the United States towards a satisfactory settlement of the difficulties with France, and we invite the coöperation of your excellency, particularly with reference to the adoption by both England and France of treaties similar to that negotiated by the United States. It is the earnest desire of His Hawaiian Majesty that the United States become party to an arrangement with those two powers to secure his neutrality in all wars and provide for the settlement of any future difficulty which may arise between the Hawaiian Islands and either of the three powers by a reference to the other two.

Trusting that our communication may meet with a favorable consideration, we subscribe ourselves,

Your excellency's most obedient servants,

G. P. JUDD,
JAMES J. JARVES.

[Inclosures not found with note.]

Mr. Clayton to Mr. Judd and Mr. Jarves.

DEPARTMENT OF STATE,
Washington, June 3, 1850.

To MESSRS. G. P. JUDD and JAMES J. JARVES,
Washington:

GENTLEMEN: I have the honor to acknowledge the receipt of your note of the 30th ultimo, with the accompanying documents, relative to the difference between His Hawaiian Majesty's Government and the Government of France, growing out of certain proceedings of the late consul-general of France and of the naval commander of that Republic at the Hawaiian Islands. Your note has been submitted to the President, who has directed me to state, in reply, that as the United States have strong motives both of sympathy and interest for desiring that His Hawaiian Majesty's Government should be upon the most friendly terms with all others and especially with those of powerful commercial States, he ardently hopes that the misunderstanding adverted to may be adjusted to the mutual satisfaction of the parties, and will cheerfully do anything in his power, compatible with the cardinal policy of this Government, to bring about that desirable result. An instruction will accordingly be addressed to Mr. Rives, the United States minister at Paris, directing him to employ his good offices, either separately or in conjunction with the British minister, for the purpose of accommo-

dating the dispute between His Hawaiian Majesty's Government and that of France.

The desire which you express in behalf of His Hawaiian Majesty that the United States should become a party to an arrangement with Great Britain and France to secure His Majesty's neutrality in all wars and provide for the settlement of any future difficulty which may arise between the Hawaiian Islands and either of the three powers, by a reference to the other two, shall be taken into respectful consideration.

I avail myself of the occasion, gentlemen, to offer to you the assurance of my very high regard.

JOHN M. CLAYTON.

Mr. Clayton to Mr. Rives.

No. 15.]

DEPARTMENT OF STATE,
Washington, July 5, 1850.

TO WILLIAM C. RIVES, Esq., etc.:

SIR: I transmit a copy of a note and of the accompanying papers addressed to this Department, under date the 30th of May last, by Messrs. G. P. Judd and James Jackson Jarves, accredited to this Government as special commissioners of His Hawaiian Majesty, requesting the friendly interposition of the United States towards a satisfactory settlement of the differences between the Hawaiian Government and that of France. A copy of my answer to the application is also inclosed.

It certainly is very desirable that the relations between France and the Hawaiian Islands should be of an amicable character. We desire that those islands should maintain their independence. We believe that their existing government is competent to discharge the duties of a sovereign state, and that if any of its acts or omissions with reference to other governments, or to the citizens or subjects owing them allegiance, have been of questionable propriety, this should be imputed to the inexperience of the Hawaiian functionaries, and to the difficulties arising from the peculiarities of their position.

It undoubtedly behooves the governments of older and more powerful states who hold official intercourse with the Hawaiian Government to view with indulgence any delinquencies which they may commit clearly resulting from the causes just indicated. The occasion is not considered to call for an expression of an opinion by this Department in regard to the merits of the controversy between the French and the Hawaiian authorities. The Department, however, will not hesitate to express its belief that whatever may have been the convictions of the French officers as to the justice of their cause, the measures adopted to obtain redress were unnecessarily harsh. It is hoped that this will ultimately be the conclusion of the French Government itself; and that, in that event, it will make such amends to the Hawaiian Government as a great and magnanimous nation can not fail to consider as due in such case to a feeble and injured state.

The Department will be slow to believe that the French have any intention to adopt, with reference to the Sandwich Islands, the same policy which they have pursued in regard to Tahiti. If, however, in your judgment it should be warranted by circumstances, you may take a proper opportunity to intimate to the minister for foreign affairs of

France that the situation of the Sandwich Islands, in respect to our possessions on the Pacific and the bonds commercial and of other descriptions between them and the United States, are such that we could never with indifference allow them to pass under the dominion or exclusive control of any other power. We do not ourselves covet sovereignty over them. We would be content that they should remain under their present rulers, who, we believe, are disposed to be just and impartial in their dealings with all nations.

The President is not prepared to comply with the request of Messrs. Judd and Jarves, that the United States should become a party to an arrangement with England and France to secure the neutrality of the Hawaiian Government in all wars, and to provide for the adjustment of any future misunderstanding between that Government and either of the three by a reference to the other two. But although a formal treaty for these purposes would be too little in consonance with our usual policy to be entered into without great deliberation, our interests involved in the independence of the Sandwich Islands are of sufficient importance to require and warrant us in adopting other measures for the purpose of restoring and preserving harmony between their Government and that of either England or France. The President consequently hopes for the best results from your zealous, yet prudent, endeavors toward a satisfactory accommodation of the dispute which is the immediate occasion of this dispatch.

I am, sir, respectfully, your obedient servant,

JOHN M. CLAYTON.

Mr. W. C. Rives to Mr. Webster.

No. 49.]

LEGATION OF THE UNITED STATES,

Paris, September 12, 1850.

SIR: I omitted in my last dispatch to acknowledge the receipt of dispatch No. 15 from the State Department, addressed to me by the late Secretary of State, and which was not received here until I had left Paris on my recent excursion. I shall in the exercise of the discretion it commits to me profit of the first occasion which may seem suitable and proper to bring the views and considerations it suggests to the aid of an amicable adjustment of the difficulties between the Sandwich Islands and this Government, without intruding officiously or offensively in the controversy between the parties. The minister of foreign affairs left here ten or twelve days ago to accompany the President in his visit to Cherbourg and some of the neighboring departments, and is not expected back for several days yet to come. I have therefore had no opportunity of personal communication with him since my return to Paris.

* * * * *

I have the honor, etc.,

W. C. RIVES.

We, Kamehameha III, by the grace of God of the Hawaiian Islands, King: By and with the advice of our kuhina nui and counsellors of native chiefs, finding our relations with France so oppressive to my Kingdom, so inconsistent with its rights as an independent State, and

so obstructive of all our endeavors to administer the government of our islands with equal justice with all nations and equal independence of all foreign control, and despairing of equity and justice from France, hereby proclaim as our royal will and pleasure that all our islands and all our rights as sovereign over them are from the date hereof placed under the protection and safeguard of the United States of America until some arrangements can be made to place our said relations with France upon a footing compatible with my rights as an independent sovereign under the laws of nations and compatible with my treaty engagements with other foreign nations; or, if such arrangements be found impracticable, then is our wish and pleasure that the protection aforesaid under the United States of America be perpetual.

And we further proclaim as aforesaid that from the date of publication hereof the flag of the United States of America shall be hoisted above the national ensign on all our forts and places and vessels navigating with Hawaiian registers.

Done at our palace at Honolulu this 10th day of March, A. D. 1851, and in the twenty-sixth year of our reign.

[L. S.]

KAMEHAMEHA.
KEONI ANA.

Mr. Severance to Mr. Webster.

UNITED STATES COMMISSION,
Honolulu, March 11, 1851.

No. 6.]

SIR: I wrote you yesterday and sent the letter by mail in a vessel which sails on Wednesday, in relation to the negotiations with M. Perrin, the French consul-general, and that there was little probability of an amicable conclusion. What will follow we can not tell, but in case of another hostile attack from the French, the King, with the approbation of his chiefs, and I believe nearly all the principal officers of the Government, have it in contemplation to take down the Hawaiian flag and run up that of the United States. They contemplate annexation to our Republic, and have already consulted me about it. They would prefer a guaranty of protection from England and the United States, and have consulted with Gen. Miller, the British consul-general here. He gives them no satisfaction, having written to his Government on the same topic before and received no reply. He is bound by the joint declaration of 1843, that Great Britain shall *not* take possession, either as a protectorate or otherwise.

There is considerable British interest here. Formerly the King and chiefs put great reliance on the protection of England, which was promised verbally to Liholiho, the immediate predecessor of the present King, when he visited England with several of his chiefs. William IV was then on the British throne, I believe; but since then they have had a great deal of difficulty with Mr. Charlton, the British consul, and some with Gen. Miller, the present consul. So they have also with my predecessors, Brown and Ten Eyck; yet the American interest, missionary, mercantile, and otherwise, is altogether paramount.

The popular representative body recently elected by native votes is for the most part composed of natives of the United States, and so is the executive part of the Government, as well as the judiciary, at least in the high courts. The other branch of the legislature is composed of

a council of native chiefs, retaining so far their ancient privileges. During the last year or two there has been a considerable immigration from Sidney, but not an influential or desirable population. Three-fourths, at least, of the business done here is by Americans, and they already own much of the real estate. The sugar-planters are nearly all Americans, and have a strong interest in annexation to the United States, as in that event they will supply our Pacific coast with sugar at an advantage of 30 per cent over all other sugars from the East Indies or elsewhere. The subject of annexation is here often hinted at, and sometimes freely discussed in private; but it is known only to a very few that the King and his Government have the matter under consideration. If the action of the French should precipitate a movement here, I shall be called on, perhaps, to protect the American flag. I was indeed requested to go and see the King on Monday night, and in the presence of the council to give him assurance of protection should he raise the American flag instead of his own; but I preferred to keep away, so as to avoid all appearance of intrigue to bring about a result which, however desirable, and as many believe ultimately inevitable, must still be attended with difficulties and embarrassments. It was a week before this that I was applied to by the King to prevent the sailing of the *Vandalia*, as was contemplated by Capt. Gardiner. It was his wish to go on Saturday last. The letters of the premier, minister of the interior, and vice-regent will be found on sheet annexed, marked A.

To the letter of the regent I replied as on sheet marked B. I then addressed a letter to Capt. Gardiner, after first having a free conference with him and with Mr. Allen, the American consul. The letter is marked C. To this Capt. Gardiner replied as marked D.

Capt. Cosnier, commander of the *Serieuse*, appears to be a very worthy man and takes no part in the controversy, as far as known. He can not speak English. I can not yet believe Mr. Perrin will require him to commence war or reprisals, or even blockade. I am, however, in the highest degree anxious to have your instructions how far I may go in protecting the American flag if it shall be raised here. There will be no lack of volunteers to defend it on shore, and a host will soon rush here from California to uphold the stars and stripes. But then if the French should fire upon the town from the corvette, might not Capt. Gardiner interpose to protect American property which is to be found on both sides of every street in town, and all along the wharves? Under the circumstances I am strongly inclined to this opinion, but it requires very serious reflection. I hope no outbreak may change the present state of things till I can hear from you and know how far I can be justified in calling upon a volunteer force or any of our vessels of war to defend the American flag should it be raised here by the consent or desire of the existing Government.

The *Serieuse* may now go away without committing any act of hostility, but the difficulties are not settled. The French may return with a larger force. They have more ships of war in the Pacific—one frigate and a brig, I believe. The natives look upon them as enemies, and if they come again on a like errand we shall be again appealed to for protection and the subject of annexation will come up again with added force.

I hope the exigency will not arrive till after I have heard from you, as I greatly fear my inclination may lead me to transcend my authority. Meantime I shall endeavor to retain the confidence of the King, the chiefs, and the cabinet. Of the latter, John Young, minister of the in-

terior, is the son of an Englishman by a native woman. Mr. Wylie, minister of foreign relations, is a Scotchman, liberal and learned. Dr. Judd, minister of finance, is from New York; so is the chief justice, W. L. Lee; and so is Mr. Bishop, the collector-general, who boards at the same table with me. Mr. Bates, the attorney-general, is from Michigan. Mr. Armstrong, minister of public instruction, is from Pennsylvania; Judge Andrews is from Ohio. These Americans are now Hawaiian subjects, but they retain their affection for their native land.

WEDNESDAY, *March 12.*

The King, his chiefs, and ministers, had a consultation at the palace on Monday night, and again on Tuesday night. It was the desire of the chiefs to appeal to Gen. Miller for British protection. This was promised them verbally by William IV, when they were in England. They have never forgotten it; but the general gave them no promises. At the same time he cautioned them against transferring their authority to any other power, evidently meaning the United States. I find he is beginning to be a little jealous of us. They say he complains of the partiality of the Government to Americans. He breakfasted with M. Perrin a few days ago, and though he declares the French demands preposterous, he still seems little disposed to do much to oppose them. Perrin will doubtless inflame his jealousy of us as much as possible. Already I hear through a French channel that Perrin has no fear of England in this business. They both see that the natural tendency of events will be to thoroughly Americanize the islands, a process which will go on more rapidly when we get a steam communication with San Francisco.

The tone of the California newspapers just received, too, will quicken these jealousies and apprehensions, if they are felt. But what is most important for you to know is that a paper has actually been drawn up and executed transferring the sovereign authority of the Islands to the United States with the design of having the flag of the United States above the Hawaiian. This is only to be used in case of hostilities by the French; otherwise to be a dead letter. I am not committed to this proceeding by any writing, nor have I been present, but have my information from one who was present. The most I have said in private conversation is, that if the King cedes the islands to the United States and puts up the American flag, I will do what I can to protect it for the time being, until the pleasure of my Government shall be known. Leaning upon us as they do, and sympathizing with them under aggravated wrongs and repeated insults, I could not tell them we should reject their proffered allegiance, and stand passive while they, with the American flag in their hands, should be trampled under foot by the French. If in this I have said too much, I am willing to be sacrificed if I can be the means of bringing about ultimate favorable results.

The *Falmouth* is expected here shortly, and I am in hopes that when the news of difficulties here reaches Com. McAuley he will come here with the *Raritan*. There ought to be an American ship-of-war here most of the time; its presence will have a salutary effect in preventing mischief. The English have had none here for some time. The fear of disturbances here operates injuriously upon our commerce, checks emigration hither, and retards the purchase of lands here by Americans.

You will get a pretty accurate view of these islands, their resources, and their politics, from Mr. Jarves' History, latest edition. Com. Wilkes, and Com. Jones too, understood the matter very well.

When Capt. La Place was here, in 1839, the French consul was Jules Dudoit; he has remained here, and is now a resident of the Island of Kani. I am told on good authority that he says it was the intention of La Place to seize and retain the islands, and that in demanding the sum of \$20,000, in default of which he would take possession, he had no idea the King could raise the money, and was much disappointed when he did so by borrowing it of the foreign residents. M. Dudoit has now large interests here and entirely disapproves the present conduct of the French.

The Government here has long been harassed by the continued interference of foreign consuls. The English consuls have been as dictatorial as the French in some things, especially in the matter of land claims. If an English subject had any sort of claim to a piece of land, he was pretty sure to get through the interference of the consul, who paid little respect to native courts. Property of great value in this town was given to Mr. Charlton by a decision of the law advisers of the British crown in London on a case made up by the consul. In fact, the independence of the Islands has not been practically acknowledged. The Government has been compelled to yield to every capricious demand which a British or French foreign resident chose to make, if he could get his consul by any means to take up his case. He had only to point to the guns of a ship of war, and the trembling Government, conscious of its weakness, was forced to yield. The Government has sought guarantees of protection but has not obtained them. Mutual jealousy of each other, coöperating with more generous motives, dictated the joint declaration of 1843 by England and France; but this does not secure the Islands from continued annoyance by the latter, and hence the people here want a flag over them which will protect them.

WEDNESDAY (2 o'clock p. m.).

John Young, minister of the interior, and Dr. Gerret P. Judd, minister of finance, have just called on me at my office, and delivered to me a paper, which, after allowing me to read, they sealed in my presence and delivered to me to be kept among the archives of the legation. It contains this indorsement upon the envelope in the native language, which Dr. Judd translated to me as follows:

The King requests the Commissioner of the United States in case the flag of the United States is raised above the Hawaiian, that he will open the inclosed and act accordingly.

The paper thus sealed is a cession of the sovereignty of the Islands to the United States by proclamation of the King, to be held until some arrangement satisfactory to all parties can be made consistent with the treaty obligations already existing; and in case none such can be made, then the transfer of sovereignty to be perpetual.

This, of course, requires the consent of the United States, which I have not the authority to pledge, but I shall keep the paper and be governed by circumstances. The most I can do is to accept the transfer provisionally and wait for the decision of my Government thereupon. The proclamation also authorizes vessels with Hawaiian registers to carry the flag of the United States.

Dr. Judd, in the presence of Mr. Young, assured me that the King and his chosen and constitutional advisers were unanimous in agreeing to the course they had taken.

MARCH 16.

I understand from Mr. Wyllie this morning, that M. Perrin has returned to him the copy of my letter setting forth the claim of Ladd & Co. for violation of the La Place treaty, deeming it to contain an offensive imputation on La Place, and also the correspondence between Mr. Bates and myself in relation to the treaty of 1846. You will have herewith copies of the correspondence so returned, and judge whether I have transgressed the rules of diplomatic decorum.

In relation to the La Place treaty I have stated the literal truth. It was extorted at the mouth of cannon, and the world ought to know it, if it does not already. The official correspondence at the time demonstrates this, and M. Perrin can not deny it. Perhaps he takes this course to evade a demand which he can not meet by argument, for he has himself admitted that the La Place treaty was in force from 1839 to 1846.

I learned last night from undoubted authority (an American resident who has long been opposed to the Government here) that the few French and English residents here are trying to get up another opposition paper in place of one recently stopped for want of support. The proposed editor is an Englishman; the prospectus which has been privately circulated denounces the missionaries and the Government. Funds will probably be raised and the paper started. You are aware that many Americans who hate the missionaries for reasons you no doubt understand and hate the Government for the same and other reasons have heretofore fallen into the opposition, but they have no intention of playing into the hands of the British or French leaders, and when the flag of the United States shall be raised every man of them will rally under it. The restraining moral and religious influence of the missionaries is odious to many here, and this is inflamed by foreigners who see that these missionaries are all Americans, and conversing as they do in the native language and mingling with the natives have a powerful influence over them. The same remark applies to the officers of the Government. They are now all with us, and we must keep them so. It has been otherwise.

I refer to the nature of the American opposition to the Government here to let you see clearly what elements British or French influences have to work upon. But these will be swept away in a moment when the question lies between an American and some other foreign flag. It must be remarked, too, that the number opposed to the laws for the suppression of licentiousness and drunkenness is being constantly diminished comparatively by the arrival of merchants, agriculturists, and others with their families, giving a constantly improved tone to society, which is now very good in Honolulu.

MONDAY, *March 17.*

This is the King's birthday. Flags are displayed in all directions. The King has a levee to-night.

The importers of foreign goods here may not like to substitute the American tariff for the Hawaiian, but then there will be ample compensation in having free trade with our part of the continent, and 30 per cent protection on sugar. Even now there is a greater amount of goods imported from the United States than from all the world beside. The 5 per cent will be saved on this. The natural markets of these islands are along the Pacific American coast, while the imports will come from all parts of the world, but being chiefly from the United States will pay no duties.

It is believed to be a part of the design of the new paper to attempt to

control the elections to the legislative body. At the last election Dr. Rooke, one of the successful candidates, an Englishman and not a Catholic, received every Catholic vote, the tickets for him being marked with a cross. If there should be an attempt to unite the European and Catholic interests in the elections, it will bring all the Americans to act together and they will carry all the chiefs and nine-tenths of the native votes with them. We look to the legislative body to sanction and confirm the action of the King and the chiefs. I hold it to be pretty certain the native Government can not last long. The King's health is precarious; he is not so temperate as he ought to be, and the prince, heir apparent, is unfortunately getting into the same way. They are now under good restraining influences, but they are often tempted by wine and flattery to discard their Puritanical advisers and maintain their royal prerogatives. It is almost a marvel that they have resisted these seductions so well as they have; but they have some chiefs in their council who are very wise and cautious men.

As to the importance of these islands to our commerce I need say nothing to you. This town must be a great depot for coal for the steamers to China and of supplies for the whaling fleet. But besides this the islands have great agricultural capacities. I have before me the first volume of the translations of the Hawaiian Agricultural Society, of which I have become a member. Among the papers is an address of H. M. Whitney, who has long been a resident of the islands. He estimates that there are 224,000 acres of sugar lands, and twice that number of acres of tillable lands. Calculating sugar at 6 cents per pound, he says the annual produce of the lands would be no less than \$27,000,000. He puts down the probable exports thus:

From the produce of soil.....	\$20, 250, 000
From hides, tallow, and beef.....	1, 875, 000
Butter and cheese.....	1, 000, 000
Total.....	23, 125, 000

This may be an extravagant estimate, but it is no longer doubtful that the islands can produce a vast amount of sugar, coffee, and a great variety of tropical fruits, precisely such as are wanted on our Pacific coast, while an acre of swampy *taso* land will supply half a dozen families of natives with food.

I am happy to say that the Hawaiian Government has no public debt, but has public lands, though perhaps the King and chiefs own the greater part of the vacant lands in their individual rights. The public funds have been very carefully managed, much better probably than they would have been had the opposition prevailed upon the King to discharge his ministers.

In the report of the minister of finance of 1850 I find the following passage:

In reporting the state of the department of finance it is with extreme pleasure that it can be said in brief to be out of debt, and that the revenue received has been sufficient to meet the current exigencies of the Government and to admit the expending of a considerable sum in permanent improvements for the general good.

Entire receipts.....	\$301, 576. 61
Disbursements.....	179, 034. 54

Balance in favor of treasury	122, 542. 07
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The whole balance of assets in favor of the treasury is \$170,981.40, but deducting the amount not deemed available the balance is \$64,539.39. Not many independent governments stand so well as this.

There are some claims against the Government, but the greater amount of them, if good against the Government, are good against France, being damages for nonexecution of the Laplace treaty by France, as set forth in my No. 7, March 3, to the Hawaiian minister of foreign relations.

While thus out of debt and with money in the treasury, there is also Government property to the value of several hundred thousand dollars, which ought, I think, to be left to the territory when formed, as the tariff of the United States would here produce more revenue than the government of the islands would cost the United States. Leaving the lands also to the island territorial or state Government would still be a vast deal better bargain than we made with Texas in a financial point of view.

MARCH 18.

A good deal of powder was burned yesterday in celebrating the King's birthday. There were flags of all sorts, and in the evening the palace was crowded by the representatives of all nations, except the "Palani" (French). So many white faces (and especially ladies) were never seen there before. The number is rapidly increasing every year.

After the company departed the King's band came to my lodgings and played "Hail Columbia." I know not if there was a special design in it. The band is composed of Germans and natives.

The white population of the islands is increasing; the native is diminishing. The commerce with British possessions in New Zealand and New Holland is increasing, as also with China and the East Indies, and emigrants come from both quarters. We want the steam communication with San Francisco as quick as possible. Mr. Kingsbury, of New York, is here trying to make arrangements to put two steamers on the line from here to the coast and also to go from one island to another. With these steamers and a telegraph from San Francisco to Washington we can communicate with you in about a week; so I hope you will not object to a political connection on account of distance. Nor are we so far from the centripetal force of our republic as to be in danger of being thrown off in a tangent. We must not take the islands in virtue of the "manifest destiny" principle, but can we not accept their voluntary offer? Who has a right to forbid the bans?

I ought, perhaps, to have stated before, though it may be known to you, that there is no land tax. Foreigners are not taxed on their property. There is a poll tax or labor tax, but the revenues are mostly derived from customs, tonnage duties, licenses, harbor dues, stamps, etc. But roads are much wanted, and the making of most of them will be expensive, from the mountainous nature of the country.

THURSDAY, March 20.

From present appearances the plan of getting up an opposition paper here in the British interest will fail. So many Americans belonging to the old opposition have joined in the project they will be sure to control it. They have been put on their guard and will insist on having an American editor. We can not yet let the American opposition into our secret, lest it should get out. These Americans are in favor of annexation, but they have no idea the cabinet they are opposing are equally so, and they, in their hatred of the missionaries, have apparently not considered how powerful the latter may be in any question between American and other foreign influence with the natives. The Protestant missionaries are all Americans—all republicans. The Cath-

olic missionaries have all their instructions from Rome and are all Frenchmen—Jesuits, in part, if not wholly.

With an American editor for the opposition paper, we can prevent him from doing any serious mischief. I have confided our secret to Dr. Robert W. Wood, one of this old American opposition to the Government, but a very discreet and influential man, with whom I have daily intercourse. He has two extensive sugar plantations and ardently desires annexation. He now goes into the support of the new paper for the purpose of keeping it in American hands. If the British interest insist on controlling it, the Americans will all drop it, and then it will be powerless.

FRIDAY, *March 21.*

I hear to-day from members of the cabinet that the difficulties with M. Perrin are in part settled, or waived, and in part referred to the French Government at home, and that the *Sérieuse* will soon go away, leaving M. Perrin here. A few days ago he increased his demands. Mr. Wyllie told him they were wholly inadmissible. He then intimated that he should be compelled to enforce them. Mr. Wyllie told him in a very significant manner that if he did so the King's independence would be at an end. Mr. Dudoit had told him before that if he pushed his demands too far, the islands would go into the possession of the United States. Probably he had the same intimation from other quarters. Mr. Wyllie's remark and manner confirmed these intimations, and it is probably in consequence that he has since lowered his tone and evinced a disposition to recede as fast as his dignity and French honor will permit.

The duty on distilled spirits, in accordance with the recommendation of the Hawaiian Chamber of Commerce (composed of merchants, chiefly Americans), will be reduced to \$2.50; but there will be no treaty stipulation about it. It satisfies M. Perrin for the present, though the effect will be to diminish the importation of French brandy and increase the importation of rum, gin, and whisky.

The question of indemnity to the Hawaiian Government for property destroyed, the King's yacht carried off, and damages under the Laplace treaty, is to be referred to the French Government. I do not see that M. Perrin gains anything whatever by his mission. When the *Sérieuse* goes away the *Vandalia* will go also, but I hope another American ship-of-war will soon be here. The natives look to us now as their friends and protectors, and they do not regard the matter as finally settled, as indeed it is not. New demands may be made at any time and perhaps a larger armament be sent to enforce them.

Now the question may arise, What shall I do with the King's cession to the United States? Ought I to retain it if he asks for it? I think I shall not give it up till I hear from you. We have a great interest in the islands, and may as well hold the paper as security against a cession to any other power. We should not enforce it against the will of the King and his chiefs, but his health is precarious, and such are the habits of his appointed successor there is no knowing whom he may choose for his constitutional advisers. He may be weary of the moral restraints imposed upon him now and throw himself into the arms of some interest altogether hostile to us. In that event the paper I hold may have its use. I want your instructions before any new difficulties arise.

Capt. Gardiner, of the *Vandalia*, will take this letter and forward it to you by some trusty hand.

I dine with Gen. Miller, the British consul-general for the Pacific islands, this afternoon, and may be able to pick up some information.

I now close this letter, but shall write further by the same conveyance. I have written this as altogether confidential.

With great respect, I have the honor, etc.,

LUTHER SEVERANCE.

Mr. Webster to Mr. Rives.

No. 28.]

DEPARTMENT OF STATE,

Washington, June 19, 1851.

WILLIAM C. RIVES, Esq., etc.:

SIR: In the dispatch from this Department (No. 15) of the 5th of July last, you were instructed with reference to the application of Messrs. G. P. Judd and James Jackson Jarves, special commissioners of the Hawaiian Government, for the mediation of the Government of the United States for the purpose of adjusting the differences between that Government and the Government of France. In your dispatch (No. 49) of the 12th of September, you stated that you would avail yourself of the first suitable occasion towards bringing about an amicable adjustment of the controversy. It is believed, however, that you have not since mentioned the subject.

It appears from the accompanying letters addressed to the Department and to the Rev. Rufus Anderson by Mr. Judd, from Panama, that the French Government declined to accept the mediation of the Government of Great Britain, and dispatched an agent to the Sandwich Islands, whom Mr. Judd met at Panama, waiting for the arrival of an armed force from Callao, with which he intended to proceed to the islands for hostile purposes. The public journals have since announced that he had reached his destination and had entered upon a correspondence with the Hawaiian Government. This intelligence has given the President much pain. It has also alarmed the American Board of Missions, whose corresponding secretary visited this city last autumn, brought with him the letter from Mr. Judd to the Rev. Mr. Anderson above referred to, and made application for vessels of war of the United States to be sent to the islands for the protection of the persons and property of the missionaries there.

Under these circumstances, if you should not already have made the French Government acquainted with the interest we feel in the independence of the islands, you will lose no time in taking that course.

The proceedings of M. Dillon and the French admiral there in 1849, so far as we are informed respecting them, seem, both in their origin and in their nature, to have been incompatible with any just regard for the Hawaiian Government as an independent state: They can not, according to our impressions, be accounted for upon any other hypothesis than a determination on the part of those officers to humble and annihilate that Government for refusing to accede to demands which, if granted, must have been at the expense of all self-respect and substantial sovereignty. The further enforcement of those demands which, it appears, is the object of Mr. Perrin's mission, would be tantamount to a subjugation of the islands to the dominion of France. A step like this could not fail to be viewed by the Government and people of the United States with a dissatisfaction which would tend seriously to

disturb our existing friendly relations with the French Government. This is a result to be deplored. If, therefore, it should not be too late, it is hoped that you will make such representations upon the subject to the minister of foreign affairs of France as will induce that Government to desist from measures incompatible with the sovereignty and independence of the Hawaiian Islands, and to make amends for the acts which the French agents have already committed there in contravention of the law of nations and of the treaty between the Hawaiian Government and France.

I am, sir, respectfully, your obedient servant,

DANL. WEBSTER.

JOINT RESOLUTION.

Be it resolved by the nobles and representatives of the Hawaiian Islands in legislative council assembled, That, in the sense of this house, the demands of France are so clearly unjust and contrary to the laws of nations and to treaty, and the course pursued by her so incompatible with the existence of a regular independent government in these islands; if France should persist in such a course it will be the duty of the King to shield himself and his kingdom from insult and oppression by placing this kingdom under the protection of some friendly state; and that should such emergency be so urgent as not to admit of the legislative council being convened, it shall be left to His Majesty by and with the advice of his privy council, under such emergency, to consult the honor and safety of his kingdom, according to His Majesty's best judgment; and that whatever he may do will be binding upon the nation.

Passed both houses of the legislature June 21, 1851.

WM. L. LEE,

Speaker of the House of Representatives.

KEONI ANA,

President of the House of Nobles.

Approved by the King, August 4, 1851.

KAMEHAMEHA.

KEONI ANA.

Mr. Rives to Mr. Webster.

No. 95.]

VICHY, July 8, 1851.

SIR: I received here three days ago your dispatch No. 28.

While Gen. de la Hitte was minister of foreign affairs I had several conversations with him respecting the unhappy differences which had arisen between France and the Hawaiian Government. I availed myself of those occasions to represent to him the deep interest which the people and Government of the United States feel in the welfare and independence of the Hawaiian Islands, and their earnest desire to see the controversy then pending brought to an amicable conclusion, which should be consistent alike with the magnanimity of France and the claims of justice on both sides. Gen. de la Hitte always testified the best dispositions on the subject, and I had reason to think that he was

far from approving in all things the conduct of the French agent in 1849. Since his retirement from the ministry there have been such frequent changes in the department of foreign affairs that I have had no suitable opportunity of recurring to the subject in the brief periods of official intercourse with the successive ministers who have temporarily occupied the department; nor indeed did I suppose from all that has come to my knowledge that there was any serious danger of measures being pursued which might compromise the independence or overawe the freedom of action of the Hawaiian Government in regard to the matters in dispute.

Since the receipt of your dispatch, I have felt it my duty to address a communication to the minister of foreign affairs, setting forth plainly and frankly, but in a tone not calculated to wound the pride or dignity of the French Government, the views of the Government of the United States as embodied in your dispatch, the deep interest it feels in the independence of the Sandwich Islands, and the danger that would consequently arise of an interruption of the good understanding now happily existing between France and the United States, if measures should be pursued by her authority incompatible with a just respect of that independence. To give the full effect you desire to these representations, it seemed to me indispensable that they should be made in writing, for, besides the consideration that mere verbal communications never have the weight and importance that are attached to written ones, a strong additional reason is furnished by the changes of ministry which so frequently occur here for placing the views of the Government of the United States on *record*, where they will pass under the eyes of whatever ministers may successively be called to conduct the department of foreign affairs. A copy of the communication addressed to me by the minister of foreign affairs is herewith inclosed. I shall return to Paris in a few days, and if anything of importance should occur in my interview with the minister I will embrace the earliest opportunity to communicate it to you.

I have the honor to be, etc.,

W. C. RIVES.

Mr. Webster to Mr. Severance.

No. 4.]

DEPARTMENT OF STATE,
Washington, July 14, 1851.

LUTHER SEVERANCE, Esq.:

SIR: Your confidential communications, Nos. 6, 7, 8, 9, 10, and 11, have been duly received, submitted to the President, and by him considered.

They relate to a subject of great importance, not only to the Hawaiian Government and its citizens, but also to the United States.

The Government of the United States was the first to acknowledge the national existence of the Hawaiian Government, and to treat with it as an independent state. Its example was soon followed by several of the Governments of Europe; and the United States, true to its treaty obligations, has in no case interfered with the Hawaiian Government for the purpose of opposing the course of its own independent conduct, or of dictating to it any particular line of policy. In acknowledging the independence of the islands, and of the Government established over

them, it was not seeking to promote any peculiar object of its own. What it did, and all that it did, was done openly in the face of day, in entire good faith, and known to all nations. It declared its real purpose to be to favor the establishment of a government at a very important point in the Pacific Ocean, which should be able to maintain such relations with the rest of the world, as are maintained between civilized states.

From this purpose it has never swerved for a single moment, nor is it inclined, without the pressure of some necessity, to depart from it now, when events have occurred giving to the islands and to their intercourse with the United States a new aspect and increased importance.

This Government still desires to see the nationality of the Hawaiian Government maintained, its independent administration of public affairs respected, and its prosperity and reputation increased.

But while thus indisposed to exercise any sinister influence itself over the counsels of Hawaii, or to overawe the proceedings of its Government by the menace or the actual application of superior military force, it expects to see other powerful nations act in the same spirit. It is, therefore, with unfeigned regret that the President has read the correspondence and become acquainted with the circumstances occurring between the Hawaiian Government and M. Perrin, the commissioner of France at Honolulu.

It is too plain to be denied or doubted that demands were made upon the Hawaiian Government by the French commissioner wholly inconsistent with its character as an independent state, demands which if submitted to in this case would be sure to be followed by other demands equally derogatory, not only from the same quarter, but probably also from other states, and this could only end in rendering the islands and their Government a prey to the stronger commercial nations of the world.

It can not be expected that the Government of the United States could look on a course of things leading to such a result with indifference.

The Hawaiian Islands are ten times nearer to the United States than to any of the powers of Europe. Five-sixths of all their commercial intercourse is with the United States, and these considerations, together with others of a more general character, have fixed the course which the Government of the United States will pursue in regard to them. The annunciation of this policy will not surprise the governments of Europe, nor be thought to be unreasonable by the nations of the civilized world, and that policy is that while the Government of the United States, itself faithful to its original assurance, scrupulously regards the independence of the Hawaiian Islands, it can never consent to see those islands taken possession of by either of the great commercial powers of Europe, nor can it consent that demands, manifestly unjust and derogatory and inconsistent with a bona fide independence, shall be enforced against that Government.

The substance of what is here said has already been intimated with sufficient explicitness to the Government of France, and we have the assurance of his excellency, M. Sartiges, minister of the Republic of France near the United States, that that Government has no purpose whatever of taking possession of the islands or of acting towards them in any hostile or aggressive spirit.

A copy of this letter will be placed in the hands of the French minister here; another copy will be transmitted to Paris; and another copy

you will please to communicate to M. Perrin, the French commissioner, upon the appearance of any disposition on his part or on the part of any French naval commander in the Pacific Ocean to proceed to hostilities against the Government of Hawaii for the purpose of enforcing the demands which have been made upon it on the part of France.

The Navy Department will receive instructions to place, and to keep, the naval armament of the United States in the Pacific Ocean in such a state of strength and preparation as shall be requisite for the preservation of the honor and dignity of the United States and the safety of the Government of the Hawaiian Islands.

I have, etc.,

DANIEL WEBSTER.

[Unnumbered.]

Mr. Webster to Mr. Severance.

DEPARTMENT OF STATE,
Washington, July 14, 1851.

SIR: I have written you a regular official dispatch, setting forth the principles of policy which will be pursued by the administration here in whatever respects the Government of the Hawaiian Islands.

I now write you a letter of private instructions, made necessary by suggestions contained in your communications by Lieut. Johnson.

In the first place, I have to say that the war-making power in this Government rests entirely with Congress, and that the President can authorize belligerent operations only in the cases expressly provided for by the Constitution and the laws. By these no power is given to the Executive to oppose an attack by one independent nation on the possessions of another. We are bound to regard both France and Hawaii as independent states, and equally independent; and though the general policy of the Government might lead it to take part with either in a controversy with the other, still, if this interference be an act of hostile force, it is not within the constitutional power of the President, and still less is it within the power of any subordinate agent of Government, civil or military. If the *Serieuse* had attacked Honolulu, and thereupon the *Vandalia* had fired upon the *Serieuse*, this last act would have been an act of violence against France not to be justified, and, in fact, if not disavowed at Washington it would have been an act of war. In these cases, where the power of Congress can not be exercised beforehand, all must be left to the redress which that body may subsequently authorize. This you will constantly bear in mind. But, at the same time, it is not necessary that you should enter into these explanations with the French commissioner or the French naval commander.

In my official letter of this date I have spoken of what the United States would do in certain contingencies. But in thus speaking of the Government of the United States I do not mean the executive power, but the Government in its general aggregate, and especially that branch of the Government which possesses the war-making power. This distinction you will carefully observe, and you will neither direct, request,

S. Ex. 77—7

or encourage any naval officer of the United States in committing hostilities on French vessels of war.

Another leading topic in your communication is the proposed contingent surrender by the Government of the islands of their sovereignty to the United States or their annexation to this country.

This is a very important question, and one which you will readily see rises above any functions with which you are charged. It may, indeed, be very proper for you in this case, as well as in all others, to communicate to your Government whatever the Government to which you are accredited desire to have so communicated; but it is very important that on a question involving such deep interests, both domestic and foreign, you should yourself altogether forbear expressing any opinion whatever to the Hawaiian Government. You will see by my official letter, which you are at liberty to communicate to that Government, the disposition of the United States to maintain its independence; beyond that you will not proceed. The act of contingent or conditional surrender, which you mention in your letter as having been placed in your hands, you will please to return to the Hawaiian Government. In this case the Government of the United States acts upon principles of general policy; it will protect its own rights. It feels a deep interest in the preservation of Hawaiian independence, and all questions beyond this, should they arise, must be considered and settled here by the competent authorities.

You inform us that many American citizens have gone to settle in the islands; if so, they have ceased to be American citizens. The Government of the United States must, of course, feel an interest in them not extended to foreigners, but by the law of nations they have no right further to demand the protection of this Government. Whatever aid or protection might under any circumstances be given them must be given, not as a matter of right on their part, but in consistency with the general policy and duty of the Government and its relations with friendly powers.

You will therefore not encourage in them, nor indeed in any others, any idea or expectation that the islands will become annexed to the United States. All this, I repeat, will be judged of hereafter, as circumstances and events may require, by the Government at Washington.

I do not suppose there is any immediate danger of any new menaces from France; still less of any actual attack on the islands by her naval armament. Nevertheless you will keep us constantly and accurately informed of whatever transpires.

Your account of the prosperity of the islands and the fiscal condition of its Government is interesting, and you can be hardly too full and particular in such statements.

Mr. Allen is at present quite unwell at Boston. As soon as he is able he will return to his post. Lieut. Johnson will take this dispatch to Panama. If Mr. Allen's illness should continue for any length of time, which we hope may not be the case, Lieut. Johnson will be directed to return without him.

I have the honor, etc.,

DANIEL WEBSTER.

Mr. Rives to Mr. Webster.

No. 97.]

LEGATION OF THE UNITED STATES,
Paris, July 22, 1851.

SIR: I inclose herewith the copy of a letter I received a few days ago at Vichy, from the minister of foreign affairs in answer to the one I addressed to him on the 8th instant, in relation to the Sandwich islands. You will observe that after expressing the painful surprise my communication had caused him, he states that the information which had been received in the United States respecting the pending measures and intentions of the French Government towards those islands, and on which your despatch No. 28 was founded, is erroneous; which he has instructed Monsieur de Sartiges to rectify in his communications with you at Washington, while he awaits my return to Paris to give me *viva voce* the same *eclaircissemens* here.

I waited upon the minister of foreign affairs as soon as I returned, and after some moments of conversation on general topics he entered upon the subject of our recent correspondence. He said that he had been surprised and even pained at the apparent facility with which the Government of the United States had given credence to the rumors which had reached it respecting the supposed designs of France toward the Sandwich Islands; that there was in truth no real foundation for those rumors; that the French Government had ordered no hostile demonstrations whatever to sustain M. Perrin's mission to coerce the submission of the islands to its demands; that not having the advantage which both England and the United States possessed in the presence and controlling influence of natives of each of those countries in the Hawaiian councils, it might sometimes find it necessary to employ a more energetic tone of negotiation than either of those powers to obtain an equal treatment with them, but that the Government of the United States might be assured that France would always respect the independence of these islands, which she had a common interest with other commercial nations in maintaining; and that nothing was more remote from her wishes or intentions in any event than to subject them to her dominion or to acquire territorial sovereignty over them.

I told Monsieur Baroche that I should have great pleasure in communicating to you these explicit and honorable declarations on the part of the French Government; and having already presented to him in writing the views of the Government of the United States, as expressed in your dispatch of the 19th ultimo, I did not think it necessary to add anything further than to say that the rumors which he seemed to think had met with too easy a credence at Washington, had come through a semiofficial channel which it would have been difficult wholly to disregard.

I will take this occasion to remark that there seems to have been an entire misconception on the part of Mr. Judd as to the nature of the instructions received from the Department of State, in June, 1850, respecting the controversy between France and the Hawaiian Government. In both of his letters, which accompanied your dispatch No. 28, he speaks of my being authorized to propose to the French Government the good offices of the United States for the adjustment of the controversy. It will be seen, however, on reference to the instructions addressed to me, that, without any proposal of the good offices of the United States for settling the matters in dispute, I was to take a "proper opportunity" in my intercourse with the minister of foreign affairs, "if circumstances, in my judgment, should warrant it," to



intimate to him the deep interest which the United States have in maintaining the independence of the Sandwich Islands, and to employ the other topics of persuasive consideration suggested in those instructions "toward a satisfactory accommodation of the dispute;" all of which was to be done with "prudence," and without entering into the merits of the controversy between the French and Hawaiian authorities, on which the Department of State did not consider "the occasion as calling for the expression of an opinion."

My understanding of these instructions at the time was manifested by my dispatch No. 49, acknowledging their receipt, to which you refer, and in which I say:

I shall, in the exercise of the discretion they commit to me, profit of the first occasion which may seem suitable and proper to bring the views and considerations they suggest to the aid of an amicable adjustment of the difficulties between the Sandwich Islands and this Government without intruding officially or offensively in the controversy between the parties.

These instructions were accordingly fulfilled in my conversations with Gen. de La Hitte, while he was minister of foreign affairs, as stated in my dispatch No. 95, being persuaded that if anything further were deemed necessary, I should receive instructions to that effect as soon as the occasion arose to call for them. I was the more convinced of the propriety of not going beyond the line of my original instructions, until it should plainly become my duty to do so, because I saw evidences of an undue anxiety on the part of the British Government, as represented here, to put us forward in an invidious and delicate office which might compromise our friendly relations with France, when that Government itself was particularly required and called upon by the joint engagement entered into by France and England on the 28th November, 1843, for the mutual respect of the independence of the Sandwich Islands, to take the initiative on the occasion, and also because I had every reason to believe from the declarations of Gen. de La Hitte that there was no design on the part of the French Government to menace or endanger their independence.

I have the honor, etc.,

W. C. RIVES.

Mr. Rives to Mr. Webster.

No. 109.]

LEGATION OF THE UNITED STATES,
Paris, October 30, 1851.

SIR: After disposing of the particular object of my call, Monsieur Viel-Castel took occasion to remark to me in a friendly, but at the same time very earnest, tone that the Government of the Republic had been very much annoyed by the consequences, as it had been sensibly wounded by the manner of the intervention of the Government of the United States in their difficulties with the Sandwich Islands.

He said that since the communication you had addressed to the commissioner of the United States in the islands had been known there, the Hawaiian authorities had refused absolutely to listen to any of the demands of the French Government, and made no other reply to the French consul than that if those demands were pressed they would immediately put themselves under the protectorate of the United States. He further observed that all they asked or wished of the Ha-

H. 100

waiian Government was a fair and substantially equal treatment of their commerce, navigation, and the religion of their citizens, relatively to that which the same interests of England and the United States enjoyed; that the French Government had never had the slightest intention of pursuing any measures toward the Sandwich Islands inconsistent with a just respect of their independence; that after the receipt of the letter I had addressed to the minister of foreign affairs in July last, Monsieur de Sartiges had been instructed to give you the fullest and most formal assurances to that effect; but if they had known at the time, or could have anticipated, the course which was pursued by the Government of the United States in the matter, the dignity of the French Government would not have permitted them, in such circumstances, to give the frank and unreserved explanations which had been authorized.

He spoke of the manner in which the interposition of the United States had taken place as being unusual and wounding (*blessante*) to the dignity of the French Government, referring, as I understood him, to the circumstance of a communication on the subject being first addressed to the commissioner of the United States, and immediately afterwards made known by a circular to all the members of the diplomatic corps at Washington. He said it so happened that the first information of the proceeding reached them through the English legation here, which was very prompt to communicate it. He alluded, also, to the circumstance that the United States had been invited to become a party to the convention concluded between France and England in 1843 for mutually respecting the independence of the Sandwich Islands, but the invitation had been declined, a circumstance which, he thought, should protect France from the suspicion of having improper designs upon the independence of the islands.

Mr. Viel-Castel concluded by saying that in the position in which they were now placed by the proceedings of the Government of the United States it was not possible they could ask of us our good offices in bringing about an arrangement of their difficulties with the Sandwich Islands, but he trusted the United States itself would be prompted by its own sense of justice and a feeling of common friendship for both parties to use its influence with the Hawaiian Government to extend an equal treatment in the spirit of its treaty obligations to French interests with those of other nations.

I report to you without comment these observations of M. Viel-Castel, with as near a conforming to his own language as I have been able to attain. You will best appreciate their bearing and importance on the points which seemed most to touch the susceptibility of the French Government. I made such observations to him in reply as, without departing from the position taken by the Government of the United States, seemed best calculated to exhibit it in a friendly and conciliatory aspect. In this spirit (considering the preservation of the ancient friendly relations between the two countries as a matter of the highest importance to both, and, indeed, to all mankind) I have hitherto endeavored to conduct my official intercourse with this Government, and I am happy to say that I have always found it reciprocated in the fullest measure by the public authorities here.

I have the honor, etc.,

W. C. RIVES.

Mr. Marcy to Mr. Mason.

No. 3.]

DEPARTMENT OF STATE,
Washington, December 16, 1853.

JOHN MASON, Esq., etc.:

SIR: Recent accounts from the Sandwich Islands represent that the political affairs of the Hawaiian Government were in an unsettled state and some changes of high official men had been made. The political agitations were in a great measure composed at the date of the last dispatches from our commissioner, but while they existed the question of transferring the sovereignty of these islands to the United States was much discussed. As it was to be expected, the representatives of Great Britain and France at Honolulu were disturbed by the agitation of this question and used all their influence to repress the rising sentiment of annexation to this country.

I have good reason for believing that both Great Britain and France feel much solicitude in relation to the future destiny of the Sandwich Islands and are very unwilling to see them become a territory of the United States. Their respective ministers near this Government have had several conferences with me on that subject in which they appeared to be desirous of getting assurances that this Government would take no measures to acquire the sovereignty of these islands or accept it if voluntarily offered to the United States. Their language to me leaves it doubtful in my mind how far Great Britain and France intend to go in preventing such a transference of them to this country. I am satisfied that these powers will do what they can short of a resort to actual force to defeat that object. Their ministers, particularly the minister of France, labored to impress me with the belief that such a transfer would be forcibly resisted; but I do not believe that these Governments would go to that extreme length unless there should be something in the manner of acquiring the islands which would afford a plausible pretense for such an interference.

The object in addressing you at present is to request you to look into this matter and ascertain, if possible, without making it a matter of direct discussion, what would probably be the course of France in case of an attempt on the part of the United States to add these islands to our territorial possessions by negotiation or other peaceable means.

I do not think the present Hawaiian Government can long remain in the hands of the present rulers or under the control of the native inhabitants of these islands, and both England and France are apprised of our determination not to allow them to be owned by or to fall under the protection of either of these powers or of any other European nation.

It seems to be inevitable that they must come under the control of this Government, and it would be but reasonable and fair that these powers should acquiesce in such a disposition of them, provided the transference was effected by fair means.

It has been intimated that Russia takes an interest in the destiny of the Sandwich Islands, and even has an eye on them for herself. I do not doubt that she would prefer that they should remain as they are rather than see them under the control or in the possession of either Great Britain, France, or the United States, but it is scarcely probable that she would actively interfere in the matter. As to England and France, a different conclusion may be adopted. The views of the French Government, and the part it would take in case the United

States should accept or acquire fairly the sovereignty of these islands I hope you will be able to ascertain, and will apprise your Government thereof.

I am, sir, respectfully, your obedient servant,

W. L. MARCY.

TO THE SENATE OF THE UNITED STATES:

I transmit to the Senate a report from the Secretary of State, with accompanying papers, in answer to their resolution of the 2d instant.

FRANKLIN PIERCE.

WASHINGTON, *March 3, 1854.*

TO THE PRESIDENT OF THE UNITED STATES:

The Secretary of State, to whom was referred the resolution of the Senate of the 2d instant, requesting the President to communicate to that body, if not incompatible with the public interest, "copies of all correspondence between the Governments of the United States and Great Britain in regard to the Sandwich Islands, including copies of all communications between the Secretary of State and Mr. Fox, the British minister, during the years 1843 and 1844, in regard to the independence of those islands, and especially of the letters of Mr. Fox to Mr. Upshur of the 25th of June, 1843, and of Mr. Upshur to Mr. Fox of the 5th of July, 1843; also a copy of any protest or other communication from the King of the Sandwich Islands to this Government in regard to the seizure of those islands by Lord George Paulet, commander of Her Britannic Majesty's ship *Carysfort*, and of any reply of this Government thereto," has the honor to lay before the President the papers mentioned in the subjoined list.

Respectfully submitted.

W. L. MARCY.

DEPARTMENT OF STATE,

Washington, February 15, 1854.

LIST OF ACCOMPANYING PAPERS.

Mr. Everett to Mr. Webster, July 1, 1842, extract.
 King Kamehameha III to the President, March 10, 1843, copy.
 Mr. Webster to Mr. Everett, March 23, 1843, copy.
 Mr. Everett to Mr. Webster, March 28, 1843, extract.
 Mr. Everett to Mr. Legare, June 1, 1843, extract.
 Mr. Everett to Mr. Legare, June 3, 1843, copy.
 Mr. Legare to Mr. Everett, June 13, 1843, extract.
 Mr. Everett to Mr. Legare, June 14, 1843, extract.
 Mr. Fox to Mr. Upshur, June 25, 1843, copy.
 Mr. Everett to Mr. Legare, July 1, 1843, extract.
 Mr. Upshur to Mr. Fox, July 5, 1843, copy.
 Mr. Everett to Mr. Upshur, August 15, 1843, extract.
 Mr. Everett to Mr. Upshur, September 28, 1843, extract.
 Mr. Everett to Mr. Nelson (with inclosure), April 24, 1844, copy.

Mr. Everett to Mr. Webster.

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,
*London, July 1, 1842.*DANIEL WEBSTER, Esq.,
Secretary of State:

SIR:

* * * * *

Mr. Brinsmade, the commercial agent of the United States to the Sandwich Islands, lately arrived here. He is intrusted with letters from the King of those islands to the sovereigns of Great Britain and France, of purport similar to that of which he was the bearer to the President. I introduced him to Mr. Addington, under secretary of state, who appeared to take an interest in his errand.

* * * * *

I am, sir, with the highest respect, your obedient servant,
EDWARD EVERETT.

Kamehameha III to the President.

Kamehameha III, native King of the Sandwich Islands, to his excellency John Tyler, the President of the United States of America:

GREAT AND GOOD FRIEND: In trouble and difficulty we present for consideration to the President the unfortunate situation in which we and our Government are placed.

Demands upon us unsustained by the acknowledged laws of nations and unfounded in justice were for the first time presented by Lord George Paulet, captain of H. B. M. ship *Carysfort*, then lying in the harbor of Honolulu, with a threat of coercive measures in case of non-compliance within nineteen hours. Our proposals for discussion and negotiation through our principal adviser were declined with rudeness and we were compelled without a hearing to yield to demands which we believed to be arbitrary and unjust as regards ourselves, oppressive and illegal as regards foreign residents.

We have been compelled to acknowledge an acting consul of Her British Majesty against whom there were positive objections, susceptible of explicit proof, without the grounds of our refusal being heard or considered. The acknowledged consul of Her British Majesty had suddenly and secretly withdrawn from these islands without soliciting an interview or giving us any sort of notice of his intentions previous to his departure. After his departure we received notice that he had delegated his consular functions to Alexander Simpson, who was a known and declared enemy of our Government, who had openly insulted the chief magistrate of this island and other high officers of our appointment, who had publicly threatened to involve us in difficulties, and whose recognition as consular agent was protested against by two British subjects who represented the chief commercial interests of Great Britain in these islands.

Compliance has been compelled with demands violating the obligations of contracts and contravening laws for the collection of debts which have been established for the general benefit in accordance with the statutes of civilized nations, by compelling us to annul the decisions of juries after the cases had been dismissed, and to grant new trials contrary to law, and by compelling us to remove attachments levied by one British resident upon the property of another in due course of law and under the usual formalities.

Precluded from negotiation and unable to repel by force, we yielded to these requisitions under protest of embracing the earliest opportunity of representing them more fully to Her Britannic Majesty.

Compliance having been thus procured to the foregoing demands, others were successively preferred by Her Britannic Majesty's acting consul (now acknowledged), more unjust, exorbitant, and arbitrary; claims for heavy indemnities where no damage was proven and only alleged on frivolous pretexts and demands for damages in a case still pending under the previous protest to Her Britannic Majesty. We were called upon to violate every principle of equity by setting aside the decision of juries in several cases without any just cause being pretended why new trials should be granted. These demands were enforced at private interviews between ourselves, his lordship, and Her Britannic Majesty's acting consul. The subject was only verbally canvassed, written negotiations were positively refused, and even written statements and proof and copies of the claims preferred were denied. The only alternatives offered us were immediate resolve to violate the laws by acts illegal and oppressive, immediate admission and payment of claims to indemnity so loosely supported, or immediate hostilities. Without force to resist hostilities, without resources to meet the payment of the heavy indemnities demanded, and firmly resolved to support law and justice, we adopted the only peaceful alternative left, to throw ourselves upon the generosity of the British nation by a conditional cession of these islands to Her Britannic Majesty. To have awaited hostilities would have been to expose to destruction the property and jeopardize the lives of a large number of foreign residents who are American citizens; to have complied with the demands urged would have been to sanction oppressive and illegal acts affecting the rights and prospects of American citizens also and an open violation of the stipulations with the United States in 1826.

Placed in difficulties from which we could not extricate ourselves with honor and justice, compelled to immediate decision, and threatened with immediate hostilities, we have, with the advice and consent of our chiefs, signed with a heavy heart and many tears the deed of provisional cession and have permitted the British flag to be planted in all our islands, but under the guns of a frigate and at the point of the bayonet.

Relying on the magnanimity and firmness of the United States, we appeal to the President to interpose the high influence of the United States with the Court of England to grant us an impartial hearing and procure us justice, to induce Her Britannic Majesty to withdraw from the sovereignty of these islands and leave us as we have been, an independent Government supported in our right.

We have labored to civilize and improve our islands, we have adopted the laws of the United States and of Britain, we have appointed upright and capable American citizens and British subjects to offices of trust and responsibility, in order that their functions might be exer-

cised with energy and fidelity, we have adopted all suggestions which would tend to put the commercial intercourse of American citizens with us upon the best footing. We have been gratified with the large and increasing number of American residents. We confidently appeal to the Americans on these islands engaged in mercantile and commercial pursuits to testify to the honesty of our intentions and our capabilities for self-government, and we acknowledge them to have been the most consistent and efficient supporters of our Government.

We look to the United States with peculiar feelings of respect and gratitude. To the benevolence and enterprise of that great people we owe the introduction of the Christian religion, of civilization and laws, of commerce and agriculture, and the large and respectable number of our foreign residents.

We ask of you to secure and preserve the great interests common to us and you, and arrest the course of events so prejudicial to both, and we shall never cease to be grateful for your aid.

And we pray the Almighty God to have your excellency, our great and good friend, in His most holy keeping.

Written at Honolulu, Island of Oahu, Hawaiian (Sandwich) Islands, this tenth day of March, anno Domini one thousand eight hundred and forty-three.

By your good friend,

[L. S.]

KEKAULURKI,

Premier.

KAMEKAMEHA.

Mr. Webster to Mr. Everett.

No. 34]

DEPARTMENT OF STATE,
Washington, March 23, 1843.

EDWARD EVERETT, Esq., etc:

SIR: The course adopted by this Government in regard to the Sandwich Islands has for its sole object the preservation of the independence of those islands and the maintenance by their Government of an entire impartiality in their intercourse with foreign states. The United States desire to exercise no undue influence or control over the Government of the islands, nor to obtain from it any grant of exclusive privileges whatever. This was solemnly declared in the President's message to Congress, and it is declared also in the instructions given to Mr. Brown, of which you will receive herewith a copy.

The President would exceedingly regret that suspicion of a sinister purpose of any kind on the part of the United States should prevent England and France from adopting the same pacific, just, and conservative course towards the Government and people of this remote, but interesting group of islands.

I am, sir, etc.,

DANL. WEBSTER.

[Extract.]

Mr. Everett to Mr. Webster.

No. 34.]

LONDON, March 28, 1843.

DANIEL WEBSTER, Esq.,
Secretary of State.

SIR:

* * * * *

Lord Aberdeen told me the other day that he had signified to the French ambassador that England could not agree to any encroachment on the Sandwich Islands, and the Count de Ste. Aulaire replied that none was contemplated. Lord Aberdeen added that this Government would distinctly recognize the independence of these islands and presumed France would do the same. He hoped our missionaries would abstain from all attempt to exercise political influence.

* * * * *

I am, sir, with great respect, your obedient servant,
 EDWARD EVERETT.

Mr. Everett to Mr. Legare.

[Extract.]

No. 40.]

LONDON, June 1, 1843.

H. S. LEGARE, Esq.,
Secretary of State:

SIR:

* * * * *

The immediate object of my interview with Lord Aberdeen was to make inquiry relative to a report contained in the papers of the week, that the sovereignty of the Sandwich Islands had been ceded to the Queen of Great Britain, and possession taken by Lord George Paulet, of the ship of war *Carysfort*, the British officer commanding in those seas. This report will no doubt have attracted your notice; and following so closely after the official recognition of the independence of these islands by the United States and Great Britain herself is well calculated to produce uneasiness and surprise, and in this light I spoke of it to Lord Aberdeen.

He said they were entirely without information on the subject beyond what the newspapers contained and had no other reason to believe in the fact of the occupation. He could only say, at present, that if any such thing had taken place it was entirely without authority or instructions, as I could easily infer from the recent official recognition of the independence of the islands by Great Britain, which was made known to me at the time. I observed to Lord Aberdeen that, of course, if the islands had been thus without authority taken possession of, the act would be immediately disavowed by Her Majesty's Government. He said it might not be proper for him, in the absence of all information, under an entire ignorance of what had been done, to pledge the Government to any course; but he was quite willing to say that the intelli-

gence had produced no change in the opinions and feelings which led him to advise the recognition, and that he still remained without the least wish for any addition to their colonial possessions. He told me they had several times declined to accept the sovereignty of different groups of islands in the Pacific which had been offered to them. If the report was founded in truth, he thought the cession might have proceeded from apprehensions on the part of the government of the Sandwich Islands that the French were meditating also the occupation of that group and that aversion to the French might have led them, in the absence of Mr. Richards, to wish to place themselves under British protection. I told Lord Aberdeen that I had understood from a private source of information that the Hawaiian Commissioners at Washington had offered to place the islands under the protection of the United States; that I could not vouch for the truth of the report, but that if the offer were made it was certainly, as he was aware, declined.

In reference to the reserve with which he had spoken of giving up the islands, if possession as reported had been taken of them, Lord Aberdeen said this reserve was only *in majorem cautelam*, in consideration of his total ignorance of the circumstances of the case, and not because his opinions and feelings as to the expediency of the measure were at all varied by the rumored fact of the occupation. On my remarking that in one version of the newspaper report the cession was said to have been accepted by Lord George Paulet in full satisfaction for demands of compensation for injuries sustained by British subjects from the Government of the Sandwich Islands, he said he was not acquainted with any such demands and should be doubly unwilling to sanction a cession made on that basis. Upon the whole, when I reflect how distinctly and how recently this Government is pledged to the United States, to France, and to the Sandwich Islands themselves to recognize their independence I can not doubt that the act of the commander of the *Carysfort* will be readily disavowed.

* * * * *

I am, sir, respectfully, your obedient servant,

EDWARD EVERETT.

Mr. Everett to Mr. Legare.

No. 41.]

LONDON, June 3, 1843.

H. S. LEGARE, Esq.,

Secretary of State:

SIR: At a late hour last evening I received a note from the Earl of Aberdeen requesting an interview at noon this day, at which he informed me that since he saw me last he had received a dispatch from Mr. Doyle, the British chargé d'Affaires at Mexico, dated April 24, transmitting a printed and evidently authentic paper, in which the particulars of the "provisional cession" of the Sandwich Islands to Great Britain are set forth. Lord Aberdeen allowed me to read Mr. Doyle's dispatch and the printed paper, and also read to me the dispatch which he had himself prepared to Mr. Fox on the subject, and the papers accompanying it. As these documents will be communicated to you, I do not know that there is anything left for me to say, Lord Aberdeen's oral communication being but a repetition and amplification of the contents of his dispatch to Mr. Fox and his letter of last October

to the commissioners of the Sandwich Islands. He said the account in the printed paper was a confused and not very intelligible affair, and his only reason for any reserve in expressing himself on the subject arose from the fact that Lord George Paulet was one of the most discreet and judicious officers of their navy, and could not, he thought, have acted without better grounds than might be inferred from the printed accounts.

It will perhaps be in my power, by the next steamer, to give you further information on the subject.

I am, sir, very respectfully, your obedient servant,

EDWARD EVERETT.

Mr. Legaré to Mr. Everett.

[Extract.]

No. 46.]

DEPARTMENT OF STATE,
Washington, June 13, 1843.

EDWARD EVERETT, Esq., etc.:

SIR:

* * * * *

It is well known that our settled policy is the strictest nonintervention in what does not immediately concern us that we accept governments *de facto* as governments *de jure*, and that above all we have no wish to plant or to acquire colonies abroad. Yet there is something so entirely peculiar in the relations between this little commonwealth and ourselves that we might even feel justified, consistently with our own principles, in interfering by force to prevent its falling into the hands of one of the great powers of Europe. These relations spring out of the local situation, the history, and the character and institutions of the Hawaiian Islands, as well as out of the declarations formally made by this Government during the course of the last session of Congress, to which I beg leave to call your particular attention.

If the attempts now making by ourselves, as well as by other Christian powers to open the markets of China to a more general commerce be successful, there can be no doubt but that a great part of that commerce will find its way over the Isthmus. In that event it will be impossible to overrate the importance of the Hawaiian group as a stage in the long voyage between Asia and America. But without anticipating events which, however, seem inevitable, and even approaching the actual demands of an immense navigation, make the free use of those roadsteads and ports indispensable to us. I need not remind you, who are in so peculiar manner related to that most important interest, commercial and political, that our great nursery of seamen, the whale fishery, has for years past made this cluster of islands its rendezvous and resting place. It seems doubtful whether even the undisputed possession of the Oregon Territory and the use of the Columbia River, or indeed anything short of the acquisition of California (if that were possible), would be sufficient indemnity to us for the loss of these harbors.

Independently, however, of these paramount considerations, it is impossible that any enlightened American acquainted with what his countrymen have done to make this people worthy of their mission, which ought to be hospitality to the flags of all nations navigating that

ocean, can regard without lively sympathy their present unfortunate situation. All accounts seem to concur in representing this tribe, especially its chiefs, as having been within the last twenty-five years raised from a brutally savage state to a condition which may be fairly called civilized. This is the work of Christianity, and it seems to me a touching instance of the beneficent influence of the common religion of all the Great Powers that it had thus prepared an asylum for them all amidst the dangers of that vast ocean and concentrated it by its own peaceful spirit to a perpetual neutrality. It was with this view that we heartily concurred, so far as our good offices went, in promoting the objects of the mission sent to us last winter, one of the results of which was the message of the President already referred to.

You are, therefore, requested to use your best endeavors to prevent the consummation of any purpose of conquest that England may possibly have conceived. France is interested in coöperating with us to the same end. Unfortunately there are embarrassments in the way of her doing so, at least of her doing so with all the effect that would otherwise attend the intervention of so conspicuous a power in favor of so great an interest of the whole Christian world. Still, her ministers may be moved to do something. You may, at least, if occasion serve, sound their ambassador in London. Russia has also a special interest in it, if she looks with any solicitude to her settlements on the northwest coast. Might you not enlist her Government in the same cause?

On the whole, however, the better opinion seems to be that what Lord George Paulet has done will be disavowed.

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I have the honor to be, with sincere respect, sir, your obedient humble servant,

H. S. LEGARÉ.

Mr. Everett to Mr. Legaré.

[Extract.]

No. 43.]

LONDON, *June 14, 1843.*

SIR:

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June 19.—In the Times of the 15th there was an editorial article of considerable significance on the recent provisional cession of the Sandwich Islands to the British Crown. It wore the appearance at the time of being semiofficial, and from its having remained for two or three days uncontradicted in any quarter I am inclined to think that it was at least founded on good information. Should this be the case it may be considered as certain that the Government here have made up their minds to disavow the cession, and to adhere to the recognition of the independence of the islands.

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I am, sir, respectfully, your obedient servant,

EDWARD EVERETT.

H. S. LEGARÉ, Esq.,
Secretary of State.

Mr. Fox to Mr. Upshur.

WASHINGTON, June 25, 1843.

SIR: Her Majesty's Government, previously to the departure from England to the last steam packet, had already received information, though not officially, of the provisional occupation of the Sandwich Islands, in the name of Great Britain, by the officer commanding Her Majesty's ship *Carysfort*.

I am directed by the Earl of Aberdeen to state to you, for the information of the Government of the United States, that the occupation of the Sandwich Islands was an act entirely unauthorized by Her Majesty's Government, and that with the least practicable delay due inquiry will be made into the proceedings which led to it.

The British Government had already announced to certain commissioners, who arrived in Great Britain in March last on the part of the King of the Sandwich Islands, that Her Majesty had determined to recognize the independence of those islands under their present chief.

To that determination Her Majesty's Government intend to adhere. At the same time, however, it is right that it should be understood that the British Government equally intend to engage, and, if necessary, to compel the chief of the Sandwich Islands to redress whatever acts of injustice may have been committed against British subjects by that chief or his ministers or agents, either arbitrarily or under the false color of lawful proceedings.

Instructions which during the past year were addressed by Her Majesty's Government to the British consul residing in the Sandwich Islands and to the naval officers employed on the Pacific station, enjoined those officers to treat upon all occasions the native rulers of the Sandwich Islands with forbearance and courtesy; and, while affording due and efficient protection to aggrieved British subjects, to avoid interfering harshly or unnecessarily with the laws and customs of the native Government.

It has been the desire of the British Government, in regulating the intercourse of its public servants with the native authorities of the Sandwich Islands, rather to strengthen those authorities, and to give them a sense of their own independence by leaving the administration of justice in their own hands, than to make them feel their dependence upon foreign powers by the exercise of unnecessary interference. It has not been the purpose of Her Majesty's Government to seek to establish a paramount influence in those islands for Great Britain at the expense of that enjoyed by other powers. All that has appeared requisite to Her Majesty's Government has been that other powers should not exercise there a greater influence than that possessed by Great Britain.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. Fox.

Mr. Everett to Mr. Legare.

[Extract.]

No. 44.]

LONDON, *July 1, 1843.*H. S. LEGARE, Esq.,
Secretary of State:

SIR:

* * * * *

With respect to the occupation of the Sandwich Islands, I have reason to think that the conduct of Lord George Paulet in coercing their provisional cession to this Government has been formally disavowed. I am to see Lord Aberdeen this afternoon and hope to ascertain positively whether this is the case. If I find that the cession is not and is not likely to be disavowed, I shall address a pointed remonstrance to this Government against the occupation and spare no pains to enlist in the same course the representatives of the other maritime powers. Mr. Marshall of Charlestown (Massachusetts) arrived here yesterday, with authority from the King of the Sandwich Islands, as a joint commissioner with Mr. Richards. He is the bearer of dispatches from the Government of the islands to that of Great Britain. He has been preceded by Mr. Simpson, the deputy consul left in the islands by the late British consul, Mr. Charlton. * * * Mr. Simpson came to London, a few days since, as bearer of Lord George Paulet's dispatches to the admiralty.

* * * * *

I am, sir, respectfully, your obedient servant,

EDWARD EVERETT.

*Mr. Upshur to Mr. Fox.*DEPARTMENT OF STATE,
Washington, July 5, 1843

HENRY S. FOX, Esq., etc.:

SIR: I have received the letter which you did me the honor to address to me on the 25th ultimo, explanatory of the views of the British Government respecting the Sandwich Islands, and stating, by direction of Her Majesty's secretary of state for foreign affairs, for the information of this Government, that the recent occupation of those islands in the name of Great Britain by the officer commanding Her Majesty's ship *Carysfort* was an act entirely unauthorized by Her Majesty's Government, and that with the least practicable delay due inquiry will be made into the proceedings which led to it.

I have lost no time in submitting your letter to the consideration of the President of the United States, by whom I am directed to express to you the satisfaction which this prompt disavowal by Her Majesty's Government of the act in question has afforded him.

The United States take a deep interest in the condition of those islands—so important from their geographical position to American citizens engaged in the fisheries and other lawful pursuits in the North Pacific Ocean; and hence the President awaited with lively concern the course which Her Majesty's Government should adopt with respect

to the occurrences referred to. He entertained a confident expectation, strengthened by his knowledge of the reception which had been given in England to the commissioners of the King of the Sandwich Islands, and of the fact that Her Majesty's Government had determined to recognize the independence of those islands, that no undue advantage would be taken by Great Britain of their peculiar political condition, and he sees with a corresponding gratification that this expectation is now realized.

Seeking to establish no undue advantages in the Sandwich Islands for citizens of the United States at the expense of other powers, the President receives with much pleasure the assurance contained in Mr. Fox's note that none such are sought for Great Britain. He can not doubt that the recognition of the independence and sovereignty of those islands will be found altogether compatible with every just claim of Great Britain, while it will best conduce to the interests of the islands themselves and of all nations having intercourse with them.

I have the honor to renew to you, sir, on this occasion the assurance of my distinguished consideration and respect.

A. P. UPSHUR.

Mr. Everett to Mr. Upshur.

[Extract.]

No. 50.]

LONDON, August 15, 1843.

A. P. UPSHUR, Esq.,
Secretary of State:

SIR:

* * * * *

I then took occasion to advert to the affairs of the Sandwich Islands. The commissioners of the King of those Islands are here, Messrs. Haalileo, Richards, and Marshall, and have presented a written statement of considerable length (as they inform me) to Lord Aberdeen, containing the requisite explanations of the matters alleged against them by way of complaint by the late British consul and others. Lord Aberdeen told me there was a good deal worthy of consideration in their statements, and that he did not apprehend much difficulty in coming to a satisfactory settlement.

With respect to the acknowledgment of the independence of the islands, the following seems to be the precise state of the case: The English Government, following our example, acquainted Messrs. Haalileo and Richards in April last that they were prepared to acknowledge their independence. Meantime Lord George Paulet, acting without instructions, had taken provisional possession of the islands by a treaty extorted from weakness of the native Government. Great Britain feels herself pledged to adhere to the recognition of their independence and has invited France to follow her example. France has agreed to do so as soon as Great Britain withdraws her occupation.

Great Britain, before giving up the occupation, means to do two things; one, to obtain satisfaction to the matters of complaint above alluded to, which I am inclined to think will not be attended with difficulty; the other, to come to some arrangement with France which will prevent that power, at some subsequent period, from taking possession of those islands, as they have lately done of the Marquesas.

S Ex 77—8

In fact, the series of events which, however menacing for the moment, bids fair to result in the establishment of the independence of the islands on a firm basis, is one of the most fortunate, on the whole, which could be imagined, and I can not but regard the recognition of the United States as having determined the character of all the succeeding occurrences. As soon as I received, last winter, the instructions of the Department on the subject, I lost no opportunity of bringing it to the consideration of Lord Aberdeen, and the occupation of the Marquesas by the French no doubt united with our recognition in hastening the decision of this Government. There is now reason to think that the occupation of the islands by Lord George Paulet was a fortunate event, inasmuch as it prevented them from being taken possession of by a French squadron, which (it is said) was on its way for that purpose. Had France got possession of the islands she would certainly have retained them. Had intelligence been received here of Lord George Paulet's occupation of them before her promise was given to recognize them, England, I think, would not have given them up. As it is, an understanding between the great European powers, amounting in effect, if not in form, to a guaranty of their independence, is likely to take place. This is the only state of things with which the United States could be content. As it will be brought about without involving us in any compacts with other powers, and as I have already said, mainly, as it seems to me, under the impulse of our example, it will, I think, be regarded by the President as an eminently satisfactory result.

* * * * *

I am, sir, respectfully, your obedient servant,
EDWARD EVERETT.

Mr. Everett to Mr. Upshur.

[Extract.]

No. 56.]

LONDON, *September 28, 1843.*

A. P. UPSHUR, Esq.,
Secretary of State:

SIR:

* * * * *

I had a conversation last evening of a satisfactory character with Mr. Richards, the commissioner of the Government of the Sandwich Islands. He has nearly brought his business with this Government to a close, and in a manner with which he appears to be content. You are aware that various claims on the Government of the Sandwich Islands on the part of the British subjects, and principally Mr. Charlton, the late consul, had long been pending, and that it was professedly to enforce satisfaction for these claims that possession was taken of the islands by Lord George Paulet. I fear that most of the claims were such as are too apt to be set up by the strong against the weak. The Government at home (as I intimated in a former dispatch the opinion they would do), though disclaiming the act of Lord George Paulet as without instructions, determined to retain possession of the islands till satisfaction was given in reference to the claims, and some kind of an assurance procured from France that she would respect the independence of the islands.

A question arose how the claims were to be adjudicated. I advised Mr. Richards to offer to submit them to the decision of Lord Aberdeen himself. I thought this course would preclude delay, which there was some reason to fear might be desired here, and which would be very dangerous in the extremely anomalous condition of things. I doubted if the claims could be got before any tribunal independent of the influence of this Government; and I felt confident, that more could be obtained from the liberality of Lord Aberdeen when thus appealed to than if the British Government were made to assume the position of an opposing party. Mr. Richards fully concurred in this view, and the result, on the whole, seems to have justified it. On five out of seven points the decision is wholly in favor of the Government of the islands; on the sixth substantially so; on the seventh much is left dependent on the discernment and good faith of Gen. Miller, the new consul-general; but Mr. Richards considers this point to be also settled in their favor, and he has promptly accepted the whole decision. He informs me that he has been uniformly treated at the foreign office with courtesy and respect.

He has conferred freely with Mr. Addington, the under secretary of state, on the delicate point of restoring possession of the islands to the native Government, and has been promised that it shall be done as soon as a satisfactory assurance is given by France; and he thinks—justly, in my opinion—that it is for the interest of the islands that Great Britain should retain her possession till this assurance is given. There is no fear that it will be long withheld.

I have the honor to be, with great respect,

Your obedient servant,

EDWARD EVERETT.

Mr. Everett to Mr. Nelson.

No. 114.]

LONDON, April 24, 1844.

JOHN NELSON, Esq.,

Secretary of State ad interim:

SIR: In the course of the past year I had frequent occasion to make mention of the affairs of the Sandwich Islands and of the agency of Messrs. Richards and Haalilio, who had been sent to the United States and Europe as the representatives of the native Government. I have now the satisfaction to communicate authentic information of the conclusion of a convention between the governments of Great Britain and France, by which the independence of the Sandwich Islands is recognized, and the two powers stipulate that they will not take possession of them, either directly or under the name of a protectorate. Messrs. Richards and Haalilio have promised to give me a copy of this convention, which I hope they will do in season to be transmitted with this dispatch, but as it has not been published by either Government, and is of course communicated unofficially to me, I would suggest the propriety of receiving it for the present in confidence.

In their negotiations with this Government relative to the demands and complaints of British subjects against the native Government which led to the provisional occupation of the islands by Lord George Paulet, and with the French Government in reference to the modification of the treaty imposed by France on the islanders, of which treaty France exacts the benefits for herself while she refuses to grant them to the

other party, Messrs. Richards and Haalilio have been partially successful. But I fear that in both cases the measure of justice done by these powerful governments to this defenseless and feeble State is such and such only, as the strong are too apt to render to the weak.

The step taken by the French Government in disavowing the act of Admiral Dupetit-Thonars, who had without instructions converted the protectorate established at Taiti into an assertion of absolute sovereignty, continues to be vehemently assailed by the opposition in France. A large mass of papers on this subject was laid upon the table of the Chamber of Deputies a few days since by Mr. Guizot, and will be found in the *Journal des Debats* of the 20th instant. I do not find that they place the conduct of the French admiral in a new light.

I am, sir, very respectfully, your obedient servant,

EDWARD EVERETT.

Declaration.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, taking into consideration the existence in the Sandwich Islands of a government capable of providing for the regularity of its relations with foreign nations have thought it right to engage reciprocally to consider the Sandwich Islands as an independent State and never to take possession, either directly or under the title of protectorate, or under any other form, of any part of the territory of which they are composed.

The undersigned, Her Britannic Majesty's principal secretary of state for foreign affairs, and the ambassador extraordinary of His Majesty the King of the French, at the court of London, being furnished with the necessary powers, hereby declare in consequence that their said majesties take reciprocally that engagement.

In witness whereof the undersigned have signed the present declaration, and have affixed thereto the seals of their arms.

Done in duplicate at London, the 28th day of November, in the year of our Lord 1843.

ABERDEEN. [L. S.]
ST. AULAIRE. [L. S.]

[Senate Ex. Doc. No. 45. Fifty-second Congress, second session.]

Message from the President of the United States, in response to Senate resolution of February 4, 1893, relative to the draft of an uncompleted treaty with Hawaii.

FEBRUARY 6, 1893.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

I transmit herewith, as desired by the resolution of the Senate of the 4th instant, a report from the Secretary of State of the 6th instant, with its accompanying correspondence, in relation to the draft of an uncompleted treaty with Hawaii, made in 1854.

BENJ. HARRISON.

EXECUTIVE MANSION,
Washington, February 6, 1893.

The PRESIDENT:

The Secretary of State, to whom was referred the resolution of the Senate of the 4th instant requesting the President, "if in his opinion it is not inconsistent with the public interests, to send to the Senate the draft of a treaty, negotiated in 1854, but not completed, between the plenipotentiaries of the United States and the Kingdom of Hawaii, with the correspondence between the two Governments relating to said negotiation," has the honor to transmit herewith a copy of the draft in question, together with copies of the correspondence referred to.

Respectfully submitted.

JOHN W. FOSTER.

DEPARTMENT OF STATE,
Washington, February 6, 1893.

List of accompanying papers.

1. Mr. Marcy to Mr. Gregg, April 4, 1854, No. 6.
 2. Mr. Gregg to Mr. Marcy, July 26, 1854, No. 48.
 3. Mr. Gregg to Mr. Marcy, August 7, 1854, No. 51.
 4. Mr. Gregg to Mr. Marcy, September 15, 1854, No. 52.
(Copy of the treaty draft accompanies Mr. Gregg's dispatch No. 52, of September 15, 1854, included here.)
 5. Mr. Gregg to Mr. Marcy, October 2, 1854, No. 54.
 6. Mr. Gregg to Mr. Marcy, December 19, 1854, No. 61.
 7. Mr. Gregg to Mr. Marcy, December 29, 1854, No. 64.
 8. Mr. Marcy to Mr. Gregg, January 31, 1855, No. 12.
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Mr. Marcy to Mr. Gregg.

No. 6.]

DEPARTMENT OF STATE,
Washington, April 4, 1854.

SIR: In your general instructions you were furnished with the views of this Government in regard to any change in the political affairs of the Sandwich Islands. The President was aware, when those instructions were prepared, that the question of transferring the sovereignty of those islands to the United States had been raised, and favorably received by many influential individuals residing therein. It was foreseen that at some period, not far distant, such a change would take place, and that the Hawaiian Islands would come under the protectorate of or be transferred to some foreign power. You were informed that it was not the policy of the United States to accelerate such a change; but if, in the course of events, it became unavoidable, this Government would much prefer to acquire the sovereignty of these islands for the United States, rather than to see it transferred to any other power. If any foreign connection is to be formed, the geographical position of these islands indicates that it should be with us. Our commerce with them far exceeds that of all other countries; our citizens are embarked in the most important business concerns of that country, and some of them hold important public positions. In view of the large American interests there established and the intimate commercial relations existing at this time it might well be regarded as the duty of this Government to prevent these islands from becoming the appendage of any other foreign power.

It appears by your dispatches lately received at this Department that the ruling authorities of the Hawaiian Government have become convinced of their inability to sustain themselves any longer as an independent State, and are prepared to throw themselves upon our protection or to seek incorporation into our political system. Fears are entertained by those who favor such a measure that if the United States should manifest a disinclination to receive the proffered sovereignty of this country, the people would seek elsewhere a less desirable connection or be given over to anarchy.

The information contained in your last dispatch, No. 10, dated the 7th of February, renders it highly probable that the ruling powers of that Government will have presented to you, as our diplomatic agent, an offer of the sovereignty of their country to the United States. The President has deemed it proper that you should be furnished with instructions for the guidance of your conduct in such an emergency. With this dispatch you will be furnished with a full power to treat with the present authorities of the Hawaiian Government for the transfer of the Sandwich Islands to the United States. This can only be done by a convention or treaty, which will not be valid until it is ratified by the Senate of the United States.

No intimation has ever been given to this Government as to the terms or conditions which will be likely to be annexed to the tender of the sovereignty. It is presumed, however, that something more than a mere protectorate is contemplated. A protectorate tendered to and accepted by the United States would not change the sovereignty of the country. In that case this Government would take upon itself heavy and responsible duties for which it could hardly expect compensating advantages.

I understand that the measure proposed by the people, and that in which the present rulers are disposed to concur, is "annexation" as distinguished from protection; and that it is their intention that these islands shall become a part of our Territories and be under the control of this Government as fully as any other of its territorial possessions. In any convention you may make it is expected that the rights to be acquired by the United States should be clearly defined.

Should the sovereignty of these islands be transferred to the United States, the present Government would, as a matter of course, be superseded, or, at least, be subjected to the Federal authority of this country.

It is reasonable to anticipate that the present rulers and chiefs would expect that some provision would be made as compensation to them for the surrender of their political position. This provision could not be, as I conceive, any other than a pecuniary allowance. In this respect the United States would manifest toward them a liberal spirit. Annuities to the amount of \$100,000 to be distributed in such manner as they would prefer might be secured to them in the treaty.

In the convention you may make you are authorized to provide in the amplest manner for the security of individual property as held at the time of the transfer of the sovereignty, but the reservation of political rights or privileges in behalf of individuals would be inconsistent with the political power which it is proposed to vest in the United States.

If you should succeed in making a treaty transferring the islands to the United States, it is advisable that it should receive the ratification of the Hawaiian Government before it is sent here for the consideration of the President and the Senate. You are directed to induce that Government to send on one or more persons at the same time the treaty is

forwarded, clothed with full powers to assent to any modifications of it which may here be made. In view of the great uncertainty as to the terms by which the cession of the sovereignty of the islands may be encumbered the carrying out of this suggestion is deemed to be of great importance.

I have good reason to believe that some of the leading powers of Europe would be very unwilling to see the Sandwich Islands become a part of the United States, and, if an opportunity occurred, would endeavor to defeat any negotiation for that purpose. This consideration and others, make it important that you should bring it to a close as expeditiously as possible. The treaty should be here in time to be submitted to the Senate at its present session.

I am, etc.,

W. L. MARCY.

Mr. Gregg to Mr. Marcy.

No. 48.]

LEGATION OF THE UNITED STATES,

Honolulu, July 26, 1854.

SIR: The Hawaiian cabinet has determined at length that it will not do to allow much longer delay in bringing to a close arrangements for annexation. On the 17th a meeting was held, at which Prince Alexander was present, when it was agreed that the minister of foreign relations should immediately proceed, if possible, to arrange and sign a treaty to be submitted to the King for ratification. Mr. Wyllie called on me the next day, and we have since had several conferences, but without as yet arriving at any definite result. The difficulty, I apprehend, is that more will be demanded, in the way of consideration, etc., than ought to be yielded. It is probable that by the next mail it will be in my power to communicate something more definite than I am now able to do. I have the assurance of Mr. Wyllie that, so far as he is concerned, there shall be no occasion to complain of further procrastination, and I can not doubt that he is in earnest. Prince Alexander is responsible for all past delay, and he will not hesitate to incur the responsibility of still more, unless his mind is brought to the conviction which everyone else entertains, that it is impossible for him ever to wear a crown. He evidently sees that the existing Government is in danger, and wishes to be in a condition to escape it when the crisis comes, but *hopes* strongly that it may be averted. If a treaty is once signed he will not oppose its ratification directly and openly, but strive to postpone it to the last moment compatible with safety.

I am convinced that a revolution will soon take place if a treaty of annexation is not concluded. The foreign residents, especially Americans, are becoming impatient under the present state of things, and will not be disposed to endure much longer the feebleness and inefficiency of the Government. They have power enough in their hands, if they act in concert, to do anything they wish, and in a single week could subvert the throne and establish a republic upon its ruins.

A combined British and French squadron of seven vessels—three English and four French—arrived here on the 17th from Callao, having made the passage from Nukuhiva in fourteen days. Its appearance created quite an excitement among all classes of people. On Saturday the English frigate *Pique* joined the fleet, making eight vessels in all,

as follows: The frigates *President* and *Pique*, the sloop *Amphitrite*, and the steamer *Virago* (British), under the command of Rear-Admiral David Price; the frigates *La Forte* and *L'Euridice*, the corvette *L'Artemise*, and the brig *L'Obligado* (French), commanded by Rear-Admiral Febvrier des Pointes. On Tuesday they all sailed in a northwesterly direction. I could not learn satisfactorily who was the commanding officer of the entire squadron, as the English and French accounts differed materially on that point, though I presume it can not be doubted that Admiral Price is the official senior of Admiral des Pointes. It is evident that no great harmony of feeling exists between the different portions of the fleet, and I learn from pretty good authority that a separation will soon be deemed expedient.

On Friday the two admirals and their officers had an audience at the palace which was marked by a circumstance that ought to be mentioned. After the usual courtesies, addresses, etc., were over, the French admiral, on the suggestion of Mons. Perrin, said to the King, through an interpreter, that he hoped there was no thought of alienating the sovereignty of the Kingdom, as such a thing would lead to difficulty and perhaps war with England and France, which it would be for the interest of His Majesty to avoid. The King made no reply whatever.

* * * * *

Very respectfully, your obedient servant,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 51.]

LEGATION OF THE UNITED STATES,
Honolulu, August 7, 1854.

SIR: I am only able to write briefly by the mail which goes this afternoon, being much debilitated by an attack of sickness from which I am just convalescent.

* * * * *

The Government here rests on a volcano. Its subversion is within the power of the foreign residents, and I am prepared to witness an outbreak at any moment. The dissatisfaction with the present state of things is daily increasing, and a crisis of some sort is inevitable.

On Tuesday evening last there was an intense alarm among the native population on account of the supposed presence of "filibusters." The troops were called out and remained under arms all night. The apprehension seems to have been excited by the discovery of a box of pistols among some goods landed at the custom-house.

I have succeeded in arranging the terms of a treaty of annexation with the minister of foreign relations, which meets the approval of the Crown Prince and cabinet. But it is not yet signed, and I am unable to give you any assurance that it will be immediately completed. The pretense of delay is the supposed necessity of consulting the King, which for sometime has been impossible on account of His Majesty's illness.

The great difficulty I had to encounter was the inveterate prejudice of the Hawaiian authorities against a territorial form of government, which could not be overcome. Finding it impossible to provide otherwise, I finally consented to agree to the admission of the islands as a

State, as soon as it could be done in conformity with the principles and requirements of the Federal Constitution, leaving the existing laws, so far as they are republican and consistent with such Constitution, in full force and effect in the meantime.

There was also much controversy as to the extent of consideration. The Government absolutely refused to listen to anything short of annuities to the extent of \$300,000, and I finally listened to the *sine qua non* which they presented, with the understanding that it was solely *ad referendum*.

I had intended to send you a copy of the treaty as agreed on, for information, but I have been altogether unequal to the task of making it in time for the present mail.

I have notified the minister of foreign relations that there must be a speedy *diplomatical* conclusion of our negotiations, and expressed the view that any further delay will be inconsistent with the position of the Government of the United States in the transaction. He assents to the propriety of my representations, and promises to spare no efforts to bring about the signature of the treaty.

I may therefore express the hope that a final result will soon be attained. But I fear the occurrence of a state of things which will place me in some embarrassment. There is reason to believe that upon the ratification of the treaty there will be a desire and a *necessity* of an immediate transfer of the sovereignty of the islands to the United States in order to guard against pressing danger. If such a crisis occurs I shall deem myself justified in accepting a provisional transfer, subject to the provisions of the treaty, or such arrangements as may be finally made by the two parties. This, I have no doubt, would be decisive as to the influences hereafter to prevail in the archipelago, whatever might be the view of our Government as to the cession. A flood of emigration would pour in from California the moment our flag was raised, sufficient to put a check upon all future British and French pretensions.

Yesterday I had an audience at the palace for the officers of the *St. Mary*. The King was unable to be present, owing to his illness, but he was represented by the Kuhina Nui, who always stands in his place when he can not perform his functions.

The British consul-general has demanded a personal audience of the King, to communicate to him certain views of his Government, which will take place as soon as His Majesty is recovered.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 52]

LEGATION OF THE UNITED STATES,
Honolulu, September 15, 1854.

* * * * *

The negotiations for annexation are in the same condition as when my dispatch (No. 51) of the 7th instant was written. On Saturday last the cabinet had an audience of the King and laid before him a copy of the treaty in the Hawaiian language, and through Mr. Armstrong, as interpreter, explained it in all its particulars. He expressed himself satisfied, as I am advised, but stated that he wished to consult

particularly with a few of his chiefs before final action was taken. Unfortunately he has since been in such a state of infirmity as to be able to consult with no one, and it is difficult to predict when his present fit of illness will terminate.

I have insisted upon the immediate signature of the treaty, and Mr. Wyllie admits that, according to diplomatic usage, there should be no further delay. In my last dispatch I stated that I had notified him that the negotiations must be at once concluded. I have since addressed him a letter to the same effect, setting forth strongly the reasons which induced me to take this course. A copy of it is herewith inclosed for your information. Its representations I considered would have an important bearing in bringing matters to an issue, and I still think this will be the effect. I hope I did not go further than the President will be willing to approve. The peculiar circumstances which exist seemed to demand a strong expression on my part, with all the incidental references and suggestions which are employed. I acted with regard to what I supposed to be the peculiar exigencies of the times, and it has been intimated to me that my course will probably contribute to hasten matters to a conclusion.

I forward also a copy of the treaty, the terms of which were finally settled between Mr. Wyllie and myself on the 19th ultimo. I have already informed you of the utter impossibility of such provisions as I desired in the second and eighth articles. As they stand they will be regarded as *ad referendum* so far as the United States are concerned. This, of course, was the only ground upon which I could place my assent to them, especially the last. From the protocols, which are not yet all in a condition to be copied for transmission, the true character of the negotiation and its embarrassing circumstances will more fully appear. I shall probably be able to send them by the next mail.

The provisions of the separate article were made a matter of positive demand by the Hawaiian cabinet. I refused to incorporate them into the body of the treaty, because they contemplate an object which, if effected at all, must be brought about before any final ratification can take place. The ratification of the treaty by this Government would undoubtedly quell any disturbances that might arise from American sources, but a conditional cession, as contemplated by such article, would forever practically settle all questions as to future influence and jurisdiction. The moment our flag was raised a flood of immigration from California would pour in, sufficient, at least, to make the islands thoroughly American and to secure an equitable and fair arrangement if the terms of the present treaty are deemed unsatisfactory.

The return of Judge Lee from the island of Maui is expected in a few days. It was through his persuasions that the King made advances for annexation, and his influence with the chiefs and native population generally is greater than that of any man on the islands. I learn that he objects to the second article of the treaty on the ground that he does not think it provides explicitly enough for a State government. In this respect I have gone to the utmost limit of what, in my judgment, the Constitution allows, and if his advice leads this Government to exact impracticable conditions I shall, of course, be fully prepared to reject them.

The British consul-general has advised this Government that he will not, for the present, seek the audience which he formerly demanded, as I advised you in my last dispatch.

The effect of the publications in the New York Daily Tribune of July 20 has been unfortunate here in giving to the British consul-general

weapons to fight against the United States. I regret very much that any opportunity should have occurred at this juncture to confirm, in the minds of the Hawaiians, the false impressions which are constantly sought to be created in regard to our purposes and policy. If the present negotiations fall through I shall attribute it almost entirely to the effect of such publications as that of the Tribune and other papers of like character.

I have, etc.,

DAVID L. GREGG.

Treaty of annexation concluded between His Majesty the King of the Hawaiian Islands and the United States of America.

His Majesty the King of the Hawaiian Islands, being convinced that plans have been, and still are, on foot hostile to his sovereignty and to the peace of his Kingdom, which His Majesty is without power to resist, and against which it is his imperative duty to provide, in order to prevent the evils of anarchy and to secure the rights and prosperity of his subjects, and having in conscientious regard thereto, as well as to the general interests of his Kingdom, present and future, sought to incorporate his Kingdom into the Union of the United States, as the means best calculated to attain these ends and perpetuate the blessings of freedom and equal rights to himself, his chiefs, and his people; and the Government of the United States, being actuated solely by the desire to add to their security and prosperity and to meet the wishes of His Majesty the King of the Hawaiian Islands, and of his Government, have determined to accomplish by treaty objects so important to their mutual and permanent welfare.

For that purpose His Majesty Kamehameha III, King of the Hawaiian Islands has granted full powers and instructions to Robert Crichton Wyllie, esquire, his minister of foreign relations, his secretary at war and of the navy, member of his privy council of state, member of the house of nobles, and chairman of the commissioners of his privy purse; and the President of the United States has invested with like powers David Lawrence Gregg, esquire, commissioner of said States to the said Kingdom; and the said plenipotentiaries, after exchanging their full powers, have agreed to and concluded the following articles:

ARTICLE I.

His Majesty the King of the Hawaiian Islands, acting in conformity with the power vested in him by the constitution of his Kingdom, and with the wishes of his chiefs and people, and of the heads of every department of his Government, cedes to the United States his Kingdom, with all its territories, to be held by them in full sovereignty, subject only to the same constitutional provisions as the other States of the American Union. This cession includes all public lots and squares, Government lands, mines and minerals, salt lakes and springs, fish ponds, public edifices, fortifications, barracks, forts, ports and harbors, reefs, docks, and magazines, arms, armaments and accouterments, public archives, and funds, claims, debts, taxes and dues existing, available, and unpaid at the date of the exchange of the ratifications of this treaty.

ARTICLE II.

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other States of the Union.

ARTICLE III.

His Majesty the King of the Hawaiian Islands, his chiefs and subjects of every class, shall continue in the enjoyment of all their existing personal and private rights—civil, political, and religious—to the utmost extent that is possible under the Federal Constitution, and shall possess and forever enjoy all the rights and privileges of citizens of the United States, on terms of perfect equality, in all respects, with other American citizens.

ARTICLE IV.

The decisions of the board of land commissioners made and not appealed from, at the date of the final ratification of this treaty, shall be and remain forever valid and undisturbed, and all titles to real estate which are now, or shall have then been declared valid under the laws of the Hawaiian Kingdom, shall be held to be equally valid by the United States, and measures shall be adopted by the United States for the speedy and final adjudication of all unsettled claims to land in conformity with the laws and usages under which they may have originated.

ARTICLE V.

All engagements of whatever kind, affecting the rights of corporations or individuals, validly contracted, and lawfully incumbent upon the King's Government or the Hawaiian nation to pay and discharge, shall be respected and fulfilled in as prompt, full, and complete a manner as they would have been respected and fulfilled had no change of sovereignty taken place.

ARTICLE VI.

The public lands hereby ceded shall be subject to the laws regulating the public lands in other parts of the United States, liable, however, to such alterations and changes as Congress may from time to time enact. The grants of land for the promotion of education heretofore made by the Government of the King of the Hawaiian Islands shall be confirmed by the United States, which in addition thereto, shall grant and set apart for the purposes of common schools, seminaries of learning, and universities so much of the public lands and of the proceeds thereof as may be equal proportionally to the grants for such purposes in any of the States of the Union.

ARTICLE VII.

The laws of the Hawaiian Kingdom, so far as they are compatible with republican institutions and conformable to the Constitution of the United States, shall be and remain in full force and effect until modified, changed, or repealed by the legislative authority of the State contemplated by this treaty.

ARTICLE VIII.

In consideration of the cession made by this treaty, and in compensation to all who may suffer or incur loss consequent thereon, the United States shall pay the aggregate sum of three hundred thousand dollars (\$300,000) as annuities to the King, the Queen, the crown prince, those standing next in succession to the throne, the chiefs, and all other persons whom the King may wish to compensate or reward, to be apportioned as may be determined by His Majesty the King, and his privy council of state, which amounts to be apportioned as aforesaid, shall be paid ratably without deduction or offset on any ground or in any shape whatever, to the parties severally named in such apportionment, at Honolulu, on the first day of July of each successive year so long as they may live. It is, however, expressly agreed upon that on the demise of His present Majesty the annuity of the immediate heir to the throne shall then be increased to the same amount before allowed and paid to the King himself.

As a further consideration for the cession herein made, and in order to place within the reach of the inhabitants of the Hawaiian Islands the means of education, present and future, so as to enable them the more perfectly to enjoy and discharge the rights and duties consequent upon a change from monarchical to republican institutions, the United States agree to set apart and pay over for the term of ten years the sum of seventy-five thousand dollars per annum, one-third of which shall be applied to constitute the principal of a fund for the benefit of a college or university, or colleges or universities, as the case may be, and the balance for the support of common schools, to be invested, secured, or applied as may be determined by the legislative authority of the Hawaiian Islands, when admitted as a State into the Union, as aforesaid.

ARTICLE IX.

Immediately after the exchange of the ratifications of this treaty the President of the United States shall appoint a commissioner, who shall receive in due form, in the name of the United States, the transfer of the sovereignty and territories of the Hawaiian Islands; also all public property, archives, and other things hereinbefore stipulated to be conveyed, and who shall exercise all executive authority in said islands necessary to the preservation of peace and order, and to the proper execution

of the laws, until the State contemplated in this treaty can be duly organized and admitted as such State; and until the arrival of such commissioner, all departments of His Majesty's Government shall continue as now constituted.

ARTICLE X.

This treaty shall be ratified by the respective high contracting parties, and the ratifications exchanged at the city of Honolulu within eight months from the date hereof, or sooner, if possible, but it is agreed that this period may be extended by mutual consent of the two parties.

In witness whereof, we, the undersigned, plenipotentiaries of His Majesty the King of the Hawaiian Islands and of the United States of America, have signed three originals of this treaty of annexation in Hawaiian and three in English, and have thereunto affixed our respective official seals.

Done at Honolulu this — day of —, in the year of our Lord one thousand eight hundred and fifty-four.

SEPARATE AND SECRET ARTICLE.

Whereas it is desirable to guard against the exigencies declared in the preamble to the foregoing treaty, and to secure the King of the Hawaiian Islands, his chiefs and all who reside under his jurisdiction from the dangers therein referred to and expressed, it is hereby provided and expressly agreed that at any time before the final exchange of the ratifications of said treaty, if the same shall be duly ratified on the part of His Majesty the King and satisfactory notice thereof given to the commissioner of the United States, it shall be competent for His Majesty, by proclamation, to declare his islands annexed to the American Union, subject to the provisions of such treaty as negotiated; and the commissioner of the United States, for the time being, shall receive and accept the transfer of the jurisdiction of the said islands, in the name of the United States, and protect and defend them by the armed forces of the United States, as a part of the American Union, holding the same for and in behalf of his Government and exercising the jurisdiction provided for in said treaty, with the understanding, however, that in case the said treaty is not finally ratified, or other arrangement made by the free consent and to the mutual satisfaction of the contracting parties, the sovereignty of the islands shall immediately revert, without prejudice, to His Majesty, or his immediate heir, in the same conditions as before the transfer thereof; and it is further understood and agreed that this article shall be as binding for all the ends and purposes herein expressed as if it formed a part of the foregoing treaty.

Mr. Gregg to Mr. Marcy.

No. 54.]

LEGATION OF THE UNITED STATES,

Honolulu, October 2, 1854.

SIR: In my dispatch of the 7th ultimo (No. 41) I mentioned that the British consul-general had demanded an audience of the King for the purpose of communicating to him certain views of his Government. It was first appointed for the 6th ultimo, the same day as that fixed for the audience to the officers of the *St. Mary*, but the King being unable on account of illness to attend it was then postponed. Subsequently, however, although Gen. Miller at first declined, an arrangement was made to receive him on the 18th, when he made an extemporaneous speech of an hour and a quarter against annexation to the United States and in dispraise of our country, her Government, and people.

The substance of his remarks has been stated to me by those who heard them. He deprecated annexation to the United States and represented it to be one of the worst evils which could befall the Hawaiian race, denouncing our institutions as corrupting in their tendency and wholly unequal to protect in security the enjoyment of life and property. As an illustration, he referred to California and described numerous disorders, which he alleged had prevailed there, in the strongest

terms, predicting that the introduction of American rule in these islands would be the signal for the commencement of a similar state of things, in which the rights of the natives would be altogether lost sight of and sacrificed. He read at length the articles in the New York Tribune of July 20 and the Herald of a previous date, on the subject of annexation, to show that the designs of our Government were hostile to Hawaiian interests and ought to be regarded in no friendly light. These papers, he insisted, were fair and honest, rising above the corrupting tendency of republican institutions, and entitled to great weight in forming an opinion of the policy of the American nation. He complained of the course of the minister of foreign relations, charging him with a want of openness and candor and stating that he was too much disposed to publish matters which ought to be kept secret. As an instance, he referred to the joint protest of himself and Mons. Perrin, last year, which, he said, had been unnecessarily communicated to Mr. Severance, who had made a long rigamarole of a reply, and that his rejoinder to that reply had been suppressed.

I have the best reason in the world for believing that in this respect Gen. Miller's memory was at fault, as he never made any rejoinder whatever. He also entered into an argument to refute what I took occasion to say on the 4th of July relative to the merits of colonial government and the law of primogeniture, praising the latter as a beneficent institution which gave England a class of gentlemen and statesmen not to be surpassed in the world. When he had concluded the King replied as follows:

I have heard what you have said to me in the name of your Government. I am not sure that I have clearly understood it all, but I shall consider it so far as I may be able to recollect it. I would prefer that in all matters which relate to my sovereignty, in which my chiefs and people have a deep interest, communications should be made in writing so as to prevent misunderstandings and mistakes either by me or them.

The speech of Gen. Miller as I have heard accounts of it from authentic sources, was an outrage upon all propriety and insulting to the United States. An accurate statement of what transpired at the audience was drawn up, as I have reason to believe, by the minister of foreign relations and submitted to Gen. Miller for revision. He promised to write out the substance of his remarks, but as yet has not done so. I have assurances that a copy will be communicated to me at the earliest practicable moment. Had not the audience been what is termed private I should have requested officially an account of what took place, and shall yet find some just reason for doing so if it is not received as I anticipate through the dictates of a just and proper courtesy, which the minister of foreign relations has on every occasion heretofore been willing to extend.

On Thursday last (September 28) the officers of the *Portsmouth* and *St. Mary* had a royal audience by special invitation from the King. The invitation was conveyed to me on the preceding day through the minister of foreign relations. The whole affair may be regarded as exceedingly complimentary. Such a thing as an invitation for an occasion of this kind was never before known here. Capt. Dornin is a great favorite among all classes of the Hawaiian people, commanding universal respect and confidence. It is perhaps to this fact, as much as to anything else, that the extraordinary courtesy of the occasion may be attributed. But it may be said undoubtedly in addition that the Hawaiian authorities are especially desirous of cultivating friendly relations with the United States, and look forward to the time when

their country may constitute an integral portion of the great North American Republic.

Since my dispatch of the 15th ultimo there has been no progress in regard to the treaty of annexation. The crown prince is absent on the island of Hawaii, but he has been sent for and his return is daily expected. This step resulted from my letter to the minister of foreign relations of the date of September 12, a copy of which I have already transmitted for your information. I inclose herewith an acknowledgment of its receipt, from which you will perceive the cause of any recent delay that has occurred.

I now feel some confidence that immediately upon the arrival of the prince the treaty will be signed and ratified. The King is unwilling to have any action taken in his absence, but at the same time anxious to bring matters to a speedy conclusion. Liholiho has already given his formal assent to the negotiations so far, by countersigning with the ministers the protocols and also the draft of the treaty, a copy of which I have sent you. Present appearances indicate that the period of procrastination is nearly at an end, and I indulge the expectation of being able to send home a treaty of annexation in time for the commencement of the next session of Congress.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 61.]

LEGATION OF THE UNITED STATES,
Honolulu, December 19, 1854.

SIR: The King of the Hawaiian Islands, Kamehameha III, died on Friday last, the 15th instant, after an illness of about two weeks. He was born on the 17th of March, 1813, being in his forty-second year. By his subjects he was universally beloved, and among them the manifestations of grief are universal and striking. With scarcely an exception the resident foreigners respected him and confided in his justice and generosity. His partiality to Americans has always been strong, and it will be universally conceded that by his decease they have lost a faithful and honorable friend.

As soon as his death was known, minute guns were fired from the fort on shore and by all the vessels of war in the harbor.

On the same day the accession of the Prince Royal Alexander Liholiho to the throne, under the style of Kamehameha IV, was proclaimed and received universal acquiescence. The young monarch will be 21 years of age on the 9th of February next. By the Hawaiian laws the age of majority for males is fixed at twenty, so that he becomes at once ruler *de facto* of the Kingdom.

But few young men of his years have more ability or intelligence. His general education is good and for sometime past he has been accustomed to take part in the management of public affairs. A few years since, with his older brother, he visited the United States and Europe, and evidently derived much profit from the opportunity thus placed within his reach. His manners and habits are plain and simple, in consistency with the American education he has received.

The cabinet ministers and members of the privy council placed their offices at the disposal of the new sovereign yesterday, but he desired them to remain for the present in the discharge of their several functions.

The King's confidential and most influential adviser is the Hon. William L. Lee, chief justice of the supreme court, a thorough American and a man of undoubted integrity. On the 2d instant he resigned his office on account of ill health, but his resignation was not then accepted, and the present King absolutely refuses to allow him to quit his position, promising to have such an arrangement made as will relieve him of his most burdensome duties.

* * * * *

The salute at sunrise on the 16th, referred to in my letter to the minister of the 18th, was participated in by the *St. Mary*, but not by the English and French ships in port, probably for the reason that they were not prepared to follow the Hawaiian and American salutes. "The royal salute of etiquette" appears to have been arranged for the purpose of giving them an opportunity of making up for the omission of the morning.

I have, etc.,

DAVID L. GREGG.

Mr. Gregg to Mr. Marcy.

No. 64.]

LEGATION OF THE UNITED STATES,
Honolulu, December 29, 1854.

SIR: * * * From information which has recently come to my knowledge, I am inclined to entertain the opinion that the present head of the government will be disposed to preserve, if possible, the separate independence of the Hawaiian Islands. I anticipate, therefore, a notification, as soon as affairs are somewhat settled, to the effect that the negotiations for annexation to the United States are no longer to be entertained. This is rather a matter of inference than of positive certainty; but my own mind is convinced that the anticipations I entertained will prove to be well founded.

I think it also probable that efforts will be made to secure the protection of the existing sovereignty by the United States, France, and Great Britain. That foreign protection of some kind will be sought, I regard as almost a certainty. I should be glad to receive instructions to guide my conduct in the event of any such question being brought up for consideration.

The ministers who will doubtless be reappointed are men of honesty and integrity, but my observation leads me to conclude that in their estimation the retention of office is a paramount consideration. Their great fault is weakness and not perversity of purpose. Besides their views are all against the present administration of the United States, and it is not at all unlikely that they conceive it to be fair and just to pursue every legitimate course to play advisedly into the hands of those who desire political changes. These remarks are especially to be applied to the American elements of the Hawaiian Government.

I have, etc.,

DAVID L. GREGG.

Mr. Marcy to Mr. Gregg.

No. 12.]

DEPARTMENT OF STATE,
Washington, January 31, 1855.

SIR: The policy of the United States in relation to the future of the Sandwich Islands is presented in the instructions heretofore given to you. That policy is not to accelerate or urge on any important change in the government of that country, but if it has or should become so far enfeebled that it can not be continued, and the sovereignty of the islands must be transferred to another power, then a state of things will exist in which it will be proper for the United States to have a regard to the future condition of that country.

If the Hawaiian Government and people become convinced of the necessity of such a change, it is probable that they will, if left to their free choice, look to the United States as the country to which they would wish to be united. To a proper arrangement of this kind this Government certainly has no objection.

My dispatch of the 4th of April last has reference to such a contingency which it was then supposed was about to happen. In case a transfer of the islands was proffered to the United States, you were directed to enter into negotiations as to the terms of it and conclude a treaty on that subject. The outlines of such a treaty were contained in that dispatch.

You have apprised the Department that as soon as negotiations were opened you perceived that stipulations different from those indicated in your instructions were insisted on, and you very properly notified the Hawaiian authorities that you could only entertain them as matters to be referred to your Government for its approval or rejection.

The draft of a treaty you have forwarded to the Department has been considered by the President, and he directs me to say that he can not approve of some of the articles. If ratified in its present shape at Honolulu and sent hither, he would not probably submit it to the Senate. There are in his mind strong objections to the immediate incorporation of the islands in their present condition into the Union as an independent State. It was expected that the Hawaiian Government would be willing to offer the islands to the United States as a territory, and to leave the question in relation to their becoming a State to the determination of this Government, unembarrassed by stipulations on that point. The interests of both parties would seem to indicate this as the wisest course. A treaty which would embarrass the United States in their action on this question would therefore be objectionable.

There are other objections to the draft which you have sent to the Department, though less formidable than that which the second article presents. The amount to be paid as annuities, etc., according to the draft, is much larger than was contemplated.

I think it would be proper that you should inform the Hawaiian Government that the United States would not be likely to approve of a treaty differing in important particulars from the terms contained in the dispatch of the 4th of April.

This Government will receive the transfer of the sovereignty of the Sandwich Islands with all proper provisions relative to the existing rights and interests of the people thereof, such as are usual and appropriate to territorial sovereignty. It will be the object of the United States, if clothed with the sovereignty of that country, to promote its growth and prosperity. This consideration alone ought to be a suffi-

cient assurance to the people that their rights and interests will be duly respected and cherished by this Government.

In presenting objections to the draft of the treaty which you have sent to this Department, the President desires me to assure you that he takes no exception whatever to your course in this difficult and embarrassing negotiation, but, on the contrary, it is highly approved. Your efforts have been properly directed and your ability is appreciated and commended. It gives me pleasure to concur in and communicate the President's approbation of your conduct.

I am, etc.,

W. L. MARCY.

Mr. McBride to Mr. Seward.

No. 9.]

UNITED STATES LEGATION,
Honolulu, Hawaiian Islands, October 9, 1863.

SIR: Notwithstanding the subject is a delicate one, yet regarding it as a duty to my Government to transmit information concerning the policy and views of that to which I am accredited, I ask your undivided attention to a few facts in reference to this Government, and some things connected with it.

First. The King is strongly predisposed in favor of the British in preference to Americans, or those of any other nationality. English policy, English etiquette, and English grandeur seem to captivate and control him. His familiar associates are Englishmen, and where an office becomes vacated by death, resignation, or otherwise, it is filled by the appointment of an Englishman. In a word, English diplomacy here has been so adroit and sagacious as to win the esteem and confidence of His Majesty and the royal family, while American diplomacy has been a complete failure in this respect.

It is plainly to be seen that the British Government places a high estimate on the future value of these islands, believing, no doubt, that the Pacific and other railroads will be built, and that these islands will become very important as a "half-way house" between Europe and America on one side and China and Japan on the other, and also in their capacity for growing the sugar cane, coffee, rice, and cotton, which, no doubt, will be very great when fairly and fully developed. The salubrity and peculiar pleasantness of the climate must also add much to the intrinsic worth and importance of this country.

Secondly. The King's health is poor, being afflicted with asthma and other chronic affections, and therefore it is not at all probable that he will live many years, and, like other valetudinarians, his death would not surprise his acquaintances at any time. The English influences which are thrown around the King in the persons of English school teachers recently imported, and a number of English clergymen sent here by Her Britannic Majesty at the request of the King, and he not a pious man, and the filling of vacant offices by Englishmen, on the whole, being considered, is shrewdly suspected of being a political affair under the garb of religion and intended at least to supersede Americans holding office under His Majesty's Government, American school teachers, and American clergymen, many of whom have already been turned out; in other words, an endeavor to thoroughly Anglicize this place and prepare it for a British regency.

Thirdly. The native population is decreasing so rapidly as to produce the general, if not the universal, belief that within a short period, say from twenty to forty years, there will not be enough of them remaining to perpetuate this Government. This being the case, these islands must, of necessity, pass into other hands and their destiny be controlled by other people. The question then is, to what nation shall they belong, and to whom ought they belong, the English or the Americans? They are the only competitors.

Fourthly. An Englishman a little over a year ago loaned this Government \$90,000 for ten years at 10 per cent per annum, interest to be paid annually. This Government, in all probability, will not be able to pay more than the interest, if that, and will be more likely to hypothecate lands to Englishmen or to the English Government for more money. Such an event would be a sufficient excuse for Great Britain (Napoleon-like) to take and hold these islands as an indemnity, and everybody knows what the result would be. The payment of this debt by the United States, and, if need be, the loan of half a million more, together with presents both ornamental and useful to their majesties and to the heir apparent, cautiously and wisely bestowed, might be the means of giving Americans the vantage ground in point of court influence and other interests which may come up in the future.

I beg leave to further say that American interests greatly predominate here over all others combined, and not less than four-fifths of the commerce connected with these islands is American. The merchants, traders, dealers of all kinds, and planters are principally Americans. The English have no commerce here worthy of the name and but one or two retail stores; the Germans about the same amount of business as the English. Many American merchants here are doing quite a large business, and would extend their business still more but for the danger of British rule over this group, which, if it should become the dominant or governing power, American interests would be crushed out with eagerness and dispatch. Such is the universal belief of all American citizens with whom I have conversed, and such is my own opinion. It would be a flagrant injustice to American citizens, after they have labored for the good of these islands for the last forty years, after they have brought these people out of barbarism and taught them civilization, science, and religion; in a word made them an intelligent and Christian nation, and have done all that has been done in the development of the resources of the country, and given it a world-wide popularity, to be either driven out or so treated and harassed as to make it necessary for their interests to sacrifice their property and leave, which is believed would be the case provided the English obtain greater influence with the King than they now have; which influence it is the desire of Americans here and for the interests of the American Government to avert. Some merchants and planters are contracting their business, so that they may not suffer so heavy a loss in the event of the change which seems probable at no very distant day.

I am also informed that the British Government since the commencement of the rebellion in the United States sent a deputation to examine and report on the cotton-growing capacity of this group, and the report is said to be remarkably favorable. This may aid in explaining the lively interest which Her British Majesty's Government takes in this Government and the final disposition of these islands so far as conduct is a faithful index to design. The cotton-growing capacity of these islands has been sufficiently tested to demonstrate it as a fact

that it is not at all inferior to Alabama, Georgia, or Mississippi, either as to quality or quantity per acre. There is some cotton now growing in the suburbs of this city as rich and luxuriant a growth as I ever saw in the Southern States. The capacity of these islands for growing sugar cane is of world-wide celebrity and is known to be not inferior to that of any other country. All the sugar plantations of any note on these islands, with the exception of two or three, belong to Americans. Coffee grows here well and it is believed that with proper care and skill it might become equal to those more celebrated coffee-growing countries. A great deal is now raised here, although for the last few years there has been in some localities what is here called the blight on the tree. This soil grows rice of an excellent quality in great abundance.

Indian corn grows well here and yields from 20 to 40 bushels per acre. Garden vegetables also grow well here.

This group of islands under the control of our Government, in my judgment would be far more valuable than the ownership of both Cuba and the Bahama Islands. All of which is respectfully submitted.

I have the honor, etc.,

JAMES MCBRIDE.

Message of the President of the United States, communicating, in answer to a resolution of the Senate of the 4th instant, a report of the Secretary of State, relative to a proposed reciprocity treaty between the United States and Sandwich Islands.

FEBRUARY 8, 1864.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate of the United States:

In answer to the resolution of yesterday on the subject of a reciprocity treaty with the Sandwich Islands, I transmit a report from the Secretary of State, to whom the resolution was referred.

ABRAHAM LINCOLN.

WASHINGTON, February 5, 1864.

DEPARTMENT OF STATE,

Washington, February 5, 1864.

The Secretary of State, to whom has been referred the Senate's resolution of yesterday, requesting the President, "if not incompatible with the public interests, to communicate to the Senate any recent correspondence at the Department of State relative to a proposed reciprocity treaty between the United States and the Sandwich Islands," has the honor to report that application has been made for a revival of a similar treaty which was negotiated here during the administration of President Pierce, but which was not approved by the Senate. After due consideration, however, especially in connection with the probable effect of such a measure on the public revenue at this juncture, it has not been deemed advisable further to entertain the subject. It is not deemed expedient at present to communicate the correspondence called for by the resolution.

Respectfully submitted.

WILLIAM H. SEWARD.

The PRESIDENT.

Mr. Seward to Mr. McBride.

No. 10.]

DEPARTMENT OF STATE,
Washington, January 14, 1864.

JAMES MCBRIDE, Esq., etc.:

SIR: Your dispatch No. 9, of October 9, 1863, has been received. The subject of which it treats, viz, the policy of Great Britain in the Sandwich Islands—the efforts made by its officials there to shape and control the future destinies of these islands—and the measures which you indicate, with the view of counteracting these influences, are all deemed of much importance and they will receive the consideration to which they are justly entitled.

I am, etc.,

WILLIAM H. SEWARD.

Mr. McBride to Mr. Seward.

No. 37.]

UNITED STATES LEGATION,
Honolulu, September 16, 1864.

SIR: As the United States Government is now paying rent for a piece of ground for a naval depot, and as a permanent depot here will be vastly more important to our Government in the future than it has been in time past, from the increased necessity for naval defense, owing to the States and Territories on the Pacific Slope, the number of American whale ships floating in various parts of the Pacific, the increased and increasing commerce with these islands, and last, though not least, the immense commerce which we have the right to anticipate between the United States, China, and Japan, I hope it will be considered proper in me to suggest that, if a reciprocity treaty should at any time be made with this Government, a fee simple to a piece of land at this port, sufficient for a wharf and buildings for a naval depot and also for a dry dock, should be made one of the conditions of said treaty, as the principal advantage accruing from such a treaty will be to this Government, as shown in my dispatch of yesterday.

I have the honor to be, etc.,

JAMES MCBRIDE.

Mr. McCook to Mr. Seward.

No. 6.]

LEGATION OF THE UNITED STATES,
Honolulu, September 3, 1866.

SIR: I have the honor to acknowledge the receipt of your dispatch No. 3, inclosing the opinion of the Attorney-General in the matter of the American ships *Josephine* and *Blue Jacket*.

I regard it as a cause for congratulation that the Government has arrived at the conclusion indicated by the opinions of the Attorney-General, for the Hawaiian courts have in the past certainly shown a disposition to unnecessarily annoy American shipmasters, and the Hawaiian Government has invariably refused to redress their grievances.

In examining the correspondence of my predecessors I observe that

each one has seen proper to communicate to the State Department his views in relation to the Government and people of these islands. Although I suppose you are already thoroughly informed, yet I desire to call your attention to some points upon which I very materially differ from the ideas expressed by my predecessors.

Before my arrival here I was led to believe that this Government displayed a marked hostility towards the Government and citizens of the United States. The State Department has probably been led into the same error. I am perfectly satisfied that no such feeling does exist. Many of the American residents have rendered themselves obnoxious to the King and his cabinet by personal abuse of the ministers and unwarranted interference in the political affairs of the Kingdom. The natural result of this has been dislike, freely expressed, on both sides. As the feeling is apparently of an entirely personal character, I can see no reason why it should affect my relations or the relations of my Government with His Majesty and his ministers. Another class of Americans, the missionaries, have controlled the political affairs of the country since 1820. They are dissatisfied because within the last few years they have lost their hold upon the Government and its offices. The first class of Americans are generally disappointed adventurers, the second class are religionists, who, having once exercised supreme power in church and state, feel all the bitterness of disappointment at seeing their political power pass into other hands, and knowing that the native population is beginning to listen to a religion preached from other pulpits than their own. The American missionaries have undoubtedly labored faithfully; but it is their own fault if, after forty years' experience as keepers of the conscience to the natives and their princes, they permit themselves to be driven from the field by an adroit English priest, whose church is a mere political machine, and who possesses apparently neither the intelligence nor the virtue of his more experienced and Puritanical brother missionaries.

So far as I can see, the influence of the American Government is all that it has ever been. The influence of American individuals has been lost through their own want of tact and harmony.

There is still another class—the planters of the country. They are nearly all Americans, both in nationality and in sympathy; they are the better class of the residents of the islands, possess its substantial wealth, control its resources, and annually ship 20,000,000 pounds of sugar to the Pacific coast of the United States. Their pecuniary interests, their political sympathies, their business relations, and their personal attachments are all with the United States and its citizens.

The health of the present King is most precarious. When he dies the race of Hawaiian kings dies with him, and I feel confident that he will not name a successor. His Majesty is superstitious and to a great degree under the influence of a native sorceress, who has predicted that he will die as soon as he names a successor. He has faith in her prophecy and acts accordingly. I mention this fact in order that you may more properly appreciate the enlightened influences which sometimes control His Majesty's important political measures.

The fact as I state it is undoubted, and in the event that no successor to the throne is appointed the Government of the United States may be called upon to arbitrate the future of this country. For this reason I have felt it my duty to remind you of the condition of affairs here and to call your attention to the value of American interests which do now, and always must, center in these islands.

They are the resting place, supply depot, and reshipping point of all our American whaling fleet.

They are the sources from which the Pacific States receive all the sugars they consume.

The greater part of the agricultural, commercial, and moneyed interests of the islands are in the hands of American citizens.

All vessels bound from our Pacific coast to China pass close to these shores.

Geographically these islands occupy the same important relative position towards the Pacific that the Bermudas do towards the Atlantic coast of the United States, a position which makes them important to the English, convenient to the French, and, in the event of war with either of those powers, absolutely necessary to the United States. Destitute of both army and navy, the Hawaiian Government is without the power to resist aggression, to compel belligerents to respect the neutrality of her ports. Equally destitute of financial resources, they are without the means of indemnifying those who may suffer through their weakness.

The spirit of this whole people is heartily republican and thoroughly American. The King, his half dozen half-civilized nobles, as many cabinet ministers, and the Lord Bishop of Honolulu (Staley) constitute the entire aristocratic element of the country, either in fact or in feeling. And when this dynasty ends, as end it will probably within the next year, I am sure that if the American Government indicates the slightest desire to test in these islands the last Napoleonic conception in the way of territorial extension you will find the people here with great unanimity "demanding by votes, freely expressed, annexation to" the United States.

I have the honor, etc.,

EDWARD MCCOOK,
United States Minister Resident.

[Private.—For the Secretary alone.]

SAN FRANCISCO. *June 7, 1867.*

Hon. W. H. SEWARD,
Washington, D. C. :

SIR: I sail to-morrow for Honolulu and desire before leaving to ask you to order me to report in Washington about the time the Hawaiian treaty comes before the Senate for ratification or grant me a leave of absence for that purpose. I will then have in my possession every fact which might influence the favorable consideration of Congress; and it is unnecessary for me to say how deep an interest I feel in the successful conclusion of the matter with which you intrusted me.

Should the treaty be ratified, I will feel that I have possibly accomplished all I can accomplish in my present position, and will probably wish to return to my home in Colorado, unless you should favor the absolute acquisition of the Hawaiian Islands, in which event I would like to conduct the negotiations. I think their sovereignty could be purchased from the present King, and feel sure that the people of the United States would receive such a purchase with universal acclamation. Will you permit me to suggest that you sound Mr. Harris on the subject?

I hope you will send me the leave of absence or orders I have asked for; I know it seems like taxing your indulgence too far to ask this favor so soon after receiving a similar one at your hands; but I certainly have no wish to make the long winter voyage from Honolulu to New York as a pleasure trip, and my only reason for wishing to visit the United States this winter is that I believe it will materially advance the interests of the public service, and I feel sure you will be perfectly satisfied with the result should you permit me to come.

I have, etc.,

EDWARD M. MCCOOK.

Mr. Seward to Mr. McCook.

[Confidential.]

No. 33.]

DEPARTMENT OF STATE,
Washington, July 13, 1867.

Mr. McCook,
Honolulu:

SIR: Your private note written on the 27th of June, on the eve of your departure from San Francisco for Honolulu, has just been received.

You have leave to come to this place at the next meeting of Congress, which will probably take place in November.

You are at liberty to sound the proper authority on the large subject mentioned in your note and ascertain probable conditions. You may confidentially receive overtures and communicate the same to me.

I will act upon your suggestion in that relation in regard to a party now here.

I am, etc.,

WILLIAM H. SEWARD.

Mr. McCook to Mr. Seward.

No. 31.]

LEGATION OF THE UNITED STATES,
Honolulu, August 5, 1867.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.:

SIR: Since my dispatch No. 30 I have had several interviews with His Majesty the King, in one of which I called his attention to the remark made by his minister of foreign affairs relative to His Majesty leaving his capital because of the presence of the U. S. S. *Lackawanna* here (Mr. De Varigny, the minister of foreign affairs, was present), and the King disavowed any such motive and informed me that he had left this island simply to superintend the labor on some one of his plantations. The whole subject was dismissed by my calling His Majesty's attention to the fact that there had been nothing in the past acts or present attitude of my Government toward this Kingdom which should make the presence of an American man-of-war in these waters the source of suspicion, and that I regarded it as peculiarly unfortunate that these suspicions should be expressed at this particular time, when the Government of the United States was endeavoring, by the negotia-

tion of a reciprocity treaty and by every other assurance in their power, to show their friendship for the King and people of these islands.

On the 25th of July His Majesty again sent for me to meet him in council. Telegrams from Washington, published in the California papers, had reached here, disclosing the fact that a treaty of reciprocity had been concluded between the two countries and made public in the United States. His Majesty stated to me that he would like to discuss its provisions with me, but did not deem it consistent with his dignity, etc., to enter into any such discussion while the *Lackawanna* remained here. I will do His Majesty the justice to say that I do not believe this idea was an original one, but was suggested to and forced upon him by his ministers, they hoping that the *Lackawanna* could not or would not leave, and that this might prove an insuperable obstacle to the ratification of the treaty. I requested that this determination of his might be conveyed to me in writing, and on the same day I received a communication from the minister of foreign affairs, a copy of which I inclose.

The *Lackawanna* sailed from these waters on the 30th of July, in compliance with orders from the Navy Department, to take formal possession of and survey Middlebrook Island, and this obstacle being removed His Majesty again sent for me, approved the treaty in council, and issued a proclamation convoking an extraordinary session of the legislative assembly on the 2d of September, "for the purpose of considering such legislation as may be rendered necessary by the proposed convention of reciprocity with the Government of the United States." A copy of this proclamation is herewith transmitted.

I think that the King heartily and earnestly favors this treaty, and I think that some, probably the majority, of his ministers just as heartily and earnestly oppose it; because they know it will prove destructive to all other foreign influence and make American influence dominant on these islands. I was present by invitation of His Majesty at four of his cabinet meetings and on each occasion he seemed disposed to act promptly and favorably, while his councilors yielded, I thought, a reluctant and sullen assent to a measure which they alone, of all this little Kingdom, look upon with disfavor. I have heard some of the most intelligent and influential men of the islands express the opinion that should this treaty be ratified by the United States and go into effect, abrogation would be revolution; and after its benefits are once felt this people will always demand reciprocity or annexation.

I have the honor to be, sir, your very obedient servant,

EDWARD M. MCCOOK.

[Inclosure in No. 31.]

Mr. De Varigny to Mr. McCook.

HONOLULU, July 25, 186-.

SIR: Pursuant to the request expressed by your excellency during your interview of to-day with His Majesty, I have the honor to transmit to you the desire expressed by the King.

Before entering into the consideration of the treaty of reciprocity, His Majesty and his Government desire your excellency to use your influence in securing the departure from this Kingdom of the *Lackawanna* for the reasons explained to you during the aforesaid interview.

Hoping for a favorable result of this request, I avail myself of this opportunity to renew to you the assurances of the high respect and distinguished consideration with which I remain,

Your excellency's very obedient humble servant,

C. DE VARIGNY.

Mr. McCook to Mr. Seward.

No. 32.]

LEGATION OF THE UNITED STATES,

Honolulu, August 5, 1867.

SIR: I have the honor to inclose you the copy of a communication addressed by me to Gen. Van Valkenburgh, United States minister resident at Yedo, Japan.

The note explains itself; and as I deemed it essential to the interests of the public service that it should be written and forwarded promptly, I hope its contents will meet with your entire approval.

I have the honor to be, etc.,

EDWARD M. MCCOOK.

[Inclosure in No. 32.]

Mr. McCook to Gen. Van Valkenburgh.

UNITED STATES LEGATION,

Honolulu, August 3, 1867.

DEAR SIR: An envoy of the Hawaiian Government sails for Japan to-day for the purpose of endeavoring to negotiate a treaty with Japan which will admit the sugars and other products of that kingdom on an equality with the products of the United States, England, etc. I should think it would be your policy to oppose the consummation of such a treaty by every means in your power. The Pacific States of the United States are almost entirely dependent upon these Hawaiian Islands for their supply of sugars, and the planters here depend on the Pacific States just as entirely for a market. This circumstance has been instrumental in maintaining American influence here, although all the sympathies of the Government are probably English; and so soon as they can find another market which will render them independent of the United States, our political and commercial influence on the islands will be lost.

You have been here and understand how important in every respect these islands are to our country; and the fact that a treaty of reciprocity has just been concluded with them shows conclusively that the President and Secretary of State fully realize this importance, and are anxious by securing all their trade to make American influence paramount. Should they secure this treaty with Japan, and thus find another and possibly better market for their sugars, etc., it will in effect defeat the objects of the treaty just concluded, by diverting the trade we wish to secure into another channel, and enable the planters and merchants of these islands to sell their sugars to Japan, and with the proceeds buy their goods, as they now do, in an English market, instead of an American one, as they would naturally if their trade were exclusively with the United States.

At any rate I believe that after so largely subsidizing a line of steamers to secure the trade of China and Japan, we ought to secure *all of it* if we can; and if the Japanese want sugars raised in this part of the Pacific let them buy them through the merchants of San Francisco, or some of our other Pacific ports. This seems like a small affair, but I think our new trade growing up with China and Japan should be jealously watched and fostered, and all other countries hindered if possible from injuriously interfering with it in any way.

I hope you will concur with me in the view I have taken of this matter, and throw every obstacle you can in the way of the success of Capt. Waterman, the Hawaiian envoy, and request Gen. Stahl and our other consuls to do the same.

I have forwarded a copy of this letter to the honorable Secretary of State, hoping that he will approve my opinions and communicate with you at once.

I have the honor to be, etc.,

EDWARD M. MCCOOK,
Minister Resident.

Mr. Seward to Mr. McCook.

[Confidential.]

DEPARTMENT OF STATE,
Washington, September 12, 1867.

EDWARD M. MCCOOK, Esq., *etc.* :

SIR: Circumstances have transpired here which induce a belief that a strong interest, based upon a desire for annexation of the Sandwich Islands, will be active in opposing a ratification of the reciprocity treaty. It will be argued that the reciprocity will tend to hinder and defeat an early annexation, to which the people of the Sandwich Islands are supposed to be now strongly inclined. Under these circumstances, I have, first, to advise that you remain at Honolulu instead of coming to the United States, as you have before proposed.

Second. You will be governed in all your proceedings by a proper respect and courtesy to the Government and people of the Sandwich Islands; but it is proper that you should know, for your own information, that a lawful and peaceful annexation of the islands to the United States, with the consent of the people of the Sandwich Islands, is deemed desirable by this Government; and that if the policy of annexation should really conflict with the policy of reciprocity, annexation is in every case to be preferred.

The bearer of this communication will remain for the present at Honolulu, and will conform himself in his proceedings there to your advice, coöperating with you confidentially; and you will exercise your own discretion how far it may be necessary and when to instruct him in any of the matters contained in this dispatch.

I am, etc.,

WILLIAM H. SEWARD.

Mr. Seward to Mr. McCook.

No. 36.]

DEPARTMENT OF STATE,
Washington, October 5, 1867.

Mr. MCCOOK, *etc.* :

SIR: I have the honor to acknowledge the receipt of your dispatch of the 5th of August, No. 31. The President is gratified with the information that His Majesty the King of the Sandwich Islands approves of the reciprocity treaty, and that he took measures to call an extra-

ordinary session of the legislature for the purpose of a formal ratification. Since the receipt of your dispatch we have received a report by the telegraph from San Francisco that the treaty has been finally and fully ratified by the Hawaiian Government.

I refrain altogether from treating upon the subject of the irritation which has been manifested at Honolulu in connection with the visit of the *Lackawanna* at that port. No conceivable good could result from engaging in diplomatic debate upon that subject.

I am, etc.,

WILLIAM H. SEWARD.

Mr. Seward to Mr. Spalding.

[Confidential.]

No. 42.]

DEPARTMENT OF STATE,
Washington, July 5, 1868.

Z. S. SPALDING, Esq., etc.:

SIR: Your letter of the 14th of April has been received and carefully read. The information which you give of the excitement which is prevailing in Honolulu in regard to the annexation of the Sandwich Islands is very interesting. You suggest a system of proceeding here with reference to that object which could not possibly, at the present time, obtain the sanction of any department of this Government.

Without going into an explanation of the causes for the condition of national sentiment which temporarily exists, it is enough to say that the public attention sensibly continues to be fastened upon the domestic questions which have grown out of the late civil war. The public mind refuses to dismiss these questions even so far as to entertain the higher but more remote questions of national extension and aggrandizement. The periodical Presidential and Congressional elections are approaching. Each of the political parties seems to suppose that economy and retrenchment will be prevailing considerations in that election and the leaders of each party therefore seem to shrink from every suggestion which may involve any new national enterprise, and especially any foreign one. How long sentiments of this sort may control the proceedings of the Government is uncertain, but, in the meantime, it will be well for you not to allow extravagant expectations of sympathy between the United States and the friends of annexation in the islands to influence your own conduct. You will continue, however, to write me upon the subject freely as you have hitherto done.

I am, etc.,

WILLIAM H. SEWARD.

No. 54.]

LEGATION OF THE UNITED STATES,
At Honolulu, August 14, 1868.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.:

SIR: I have the honor to forward herewith a copy of a communication addressed by me to the Hawaiian minister of foreign affairs on the

29th ultimo. At the same time I inclosed him a copy of the resolution of the Congress of the United States which accompanied your circular of January 17, 1867, relative to the coolie trade.

I deemed this action called for on my part from the fact that during my absence a cargo of Japanese coolies arrived at this port on the British ship *Scioto*, and were distributed among the planters and other parties on the islands under a system of contracts holding them to labor for the term of three years. I know nothing of the circumstances under which these people left Japan, but supposed you are fully advised in the premises through Mr. Vanvalkenburg.

I have been informed that it is in contemplation to send an expedition to the South Sea Islands under the auspices of the Hawaiian Government, or the Hawaiian board of immigration, for the purpose of procuring laborers (coolies) from there. Should this really have been the design, I hope the communication I have already addressed to His Majesty's Government may lead them to abandon their purpose. If any such attempt is persisted in I will deem it my duty to protest most emphatically against it, unless otherwise directed by you.

As these South Sea Islanders are without an organized government and unable to protect themselves, any attempt to take them by force or fraud from their own country and reduce them to a state of temporary servitude here would, it seems to me, justify such active interference on the part of the Government of the United States as might be necessary to prevent the inauguration of a traffic more odious than the coolie trade of China.

I have the honor to be, your very obedient servant,

EDWARD M. MCCOOK.

No. 41.]

LEGATION OF THE UNITED STATES,

Honolulu, July 29, 1868.

SIR: I have the honor to inclose you a copy of a resolution on the subject of the coolie trade, which has unanimously passed both Houses of the Congress of the United States.

It is believed that in this matter the resolution referred to correctly indicates the moral sentiment of the country I have the honor to represent; consequently I transmit the inclosed copy for the information of your Government, believing that His Majesty, actuated by those sentiments of humanity for which he has always been so eminently distinguished, will cordially coöperate with the Government of the United States in its endeavor to discountenance and discourage a traffic so repulsive that it meets with the reprobation of the civilized world.

With sentiments of the highest consideration and regard, I have the honor to be,

Your very obedient servant,

EDWARD M. MCCOOK.

His Excellency STEPHEN H. PHILLIPS,

H. H. M. Minister of Foreign Affairs, etc.

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[From the annual message of President Johnson to the Fortieth Congress, December 9, 1868.]

I am aware that upon the question of further extending our possessions it is apprehended by some that our political system can not successfully be applied to an area more extended than our continent; but the conviction is rapidly gaining ground in the American mind that, with the increased facilities for intercommunication between all portions of the earth, the principles of free government, as embraced in our Constitution, if faithfully maintained and carried out, would prove of sufficient strength and breadth to comprehend within their sphere and influence the civilized nations of the world.

The attention of the Senate and of Congress is again respectfully invited to the treaty for the establishment of commercial reciprocity with the Hawaiian Kingdom, entered into last year, and already ratified by that Government. The attitude of the United States towards these islands is not very different from that in which they stand towards the West Indies. It is known and felt by the Hawaiian Government and people that their Government and institutions are feeble and precarious; that the United States, being so near a neighbor, would be unwilling to see the islands pass under foreign control. Their prosperity is continually disturbed by expectations and alarms of unfriendly political proceedings, as well from the United States as from other foreign powers. A reciprocity treaty, while it could not materially diminish the revenues of the United States, would be a guaranty of the good will and forbearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union.

HONOLULU, April 14, 1869.

DEAR FATHER: The bark *Comet* sails to-day for San Francisco, and even though I have little to make a letter interesting, I will venture a few lines.

Our latest advices, by the *Idaho*, seemed to convey the idea that the reciprocity treaty was beyond hope, and the effect is beginning to be generally felt and seen. Men who have kept silent for months, guarding their words and actions, have openly expressed themselves of late as being in favor of annexation, and begun to talk of forming an organization or party with that end in view.

What they want is to know that they will be backed up by the United States and its representatives here in all proper measures taken by them to secure a change in the political sentiment of the islands and their annexation at the earliest possible period.

This means not necessarily a war on the part of the United States, but a feeling that they are supported by our Government and its officials, even to the continued presence of a man-of-war, if necessary, and intervention should this Government attempt to stop free speech and a free press or put down an American simply because he is an American and expresses himself favorably towards the United States.

Americans whose opinions are entitled to respect claim that they have never had from the Government of the United States that countenance and support that England and France have always extended to their subjects here. They say (and I am disposed to think with some justice) that while an Englishman or Frenchman, even though holding an office under this Government, never forgets his country, Americans have been brought up and become more thoroughly Hawaiian than the

natives themselves. I know this to be true in regard to some Americans at present holding office under this Government, and from the records of some of our ministers, as well as their subsequent careers, I am satisfied there has been ground for complaint. No doubt the American party has committed mistakes. They had the power, and ought to have fought rather than lose it. But coming from the missionary stock, it was contrary to their principles and feelings to resort to blows. Besides, some of their best material was drawn off by means of royal favor and the honors and emoluments of office. The "dollar" is as powerful here as in more enlightened countries, and Americans as apt to forget all else in the accumulation of riches.

I told you I had no hope for annexation while there was a chance for "reciprocity." Events do not change my opinion. On the contrary, I feel that the desire for annexation is stronger to-day than it has been at any time since my arrival on the islands, simply because the prospects for the treaty are felt to be almost hopeless, and the planters must have relief by annexation.

I have already given you my opinion as to what the missionary or American party would do if left to themselves—absolutely nothing. In a short time they would be bound hand and foot and powerless to resist the machination of the English and French. They are like raw troops. Unless they can feel that they are supported by the "veteran hand" of the United States they will run at the first flash of powder or sight of blood. But shove them into the front rank and let them feel that they are safe and they will make as much noise as anybody.

It is time to decide upon the plan of action. If we want these islands immediately, I have no doubt the *Lackawanna* embroglio will furnish the pretext for taking them a la England or France. If no other good has been accomplished by the *Lackawanna*, she has served to "draw out" the ministers into strong expressions against her and our Government, and by her presence has kept up the fire of opposition in the hearts of Americans and left it easy for our Government to shape its future policy. If the United States should take possession to-morrow, on the ground that this Government has failed to respect American interests and shown its inability to maintain its position as an independent government, I think it would hardly raise a single remonstrance, either here or abroad. The feeling of foreigners seems generally to be that of astonishment to see the United States "put up" with so much from this little Kingdom.

But if the Government is in no particular hurry about the acquisition of the islands, and desires to accomplish its ends with as little display of force or expenditure of money as possible, it might be well to give the annexation party a chance to see what they can do. Two years will accomplish the change if it can be done at all. To my mind there is a better chance for an annexation party right now than there has been since the idea of reciprocity was first started. The "Hawaiian Club," of Boston, write that the treaty is undoubtedly dead, and that although they never favored annexation heretofore, they do so now. They also say that the failure of the treaty is owing to the action of the ministers of this Government, Dr. Hutchinson and M. de Varigny, news which has raised a great deal of ill-feeling toward this Government and increased the desire for connection with the United States. I take good care not to contradict the opinion. The truth is that so long as there was a chance for receiving the benefits of free trade with the United States and escaping taxation men who had capital invested here were generally opposed to annexation.

The missionaries, I think, always opposed it, on the ground that the nations would suffer by the change. But just now all classes, except office-holders, are down on this Government, and reciprocity having failed them, are ready for anything that will give them a change. But here let me reiterate my opinion that our Government must be prepared to uphold such a party with more favor and stronger aid than has ever been given before, and be ready, in case of necessity, to assume the whole work and finish it with one stroke. That is to say, we should show to this Government that Americans and their interest *must* be respected and the United States regarded equally with the "most favored nations," and let our friends see that we will indorse them in all lawful actions and receive them under the Stars and Stripes whenever application is made in the proper manner.

I still hold that little or nothing can be accomplished at the present time by "voluntary" action on the part of the natives or foreigners, in the way of changing the political status of the islands or overthrowing the present Government. What may be done in time, by educating the people up to the issue, especially where the greater part of the capital of the islands is at stake, is another question. There are many good men who will come out boldly for annexation and strain every nerve for its success if they can be satisfied that the United States will help them through. But they are not willing to throw away the good they have for the uncertainty of something better. The present King has already shown, by his abrogation of the old constitution and forcing upon the people an instrument of his own creation, that he will stop at nothing within his power. Foreign intervention in favor of annexation must of course come from the United States. Will it come? If so, the party can be organized.

The present attitude of this Government towards the United States and the patience with which we have borne its slights is "a thorn in our sides." Englishmen ridicule us, while they secretly "chuckle" over what they consider our loss of influence. I am as willing to "stoop to conquer" as anyone, and am willing to wait for our laugh until we shall have won. But, with every American on these islands, I hope our Government will either give up all idea of ever coming into possession of this country or else take measures to secure it. That we have been outgeneraled in the past is very clear. The reciprocity treaty just as completely tied Minister McCook's hands as did the Hawaiian minister of foreign relations bind our commissioner, Mr. Gregg, by getting him in his debt. The ministers of this Government never wanted "reciprocity" or any other connection with the United States, but they entertained the subject to quiet the demand for annexation, intending to kill it in the end. They have either bamboozled or bought up our representatives before Gen. McCook, and he they allowed to run wild on reciprocity.

If Gen. McCook comes back here with definite instructions from Washington to inaugurate and carry out any set policy, he will undoubtedly fulfill his instructions. But if he returns with no other orders but to "cultivate friendly relations," and is allowed to do that after his own fashion, you need not look for annexation. The American party here is composed of men mostly from the New England States. That they are generally "radical" follows as a matter of course. No representative of the United States, not even Gen. McCook, has ever been in communication with them enough to lead them. What Gen. McCook's interest in reciprocity was, I need not say; but everything

else had to give way to that one idea, and Americans who did not favor it were "d——d Republican Yankees."

My present position is far from enviable. I keep as clear of diplomatic questions as possible, and, of course, while the present state of affairs remains unchanged I keep my lips closed, and while hearing all sides give approval to none. I have been particularly careful not to commit myself. Whenever the future policy of our Government in relation to these islands is decided upon, if I am kept here in any position enabling me take part I can do so without undoing a single act.

I send you a newspaper, by this mail, giving account, as far as heard from, of the late earthquakes and volcanic eruptions on the island of Hawaii. All accounts agree that the present has been the most serious convulsion ever experienced.

His Majesty, accompanied by his commissioner and others, left yesterday on the steamer *Kilauea* to visit the scene. I was invited to accompany them, but on account of the absence of Gen. McCook, and having several vessels in port, was obliged to decline the invitation. It is reported that His Majesty goes to Hawaii to make an offering to Pele (the goddess of volcanoes) to appease her wrath! He is certainly superstitious enough to do so, and the fact that his native sorceress bore him company would seem to confirm the story. The natives say that some high chief is about to die, and that that is the cause of the present volcanic convulsions. It is further said that the King fears he is the condemned chief, and hence his visit to Hawaii to make his offering to the enraged goddess.

The *Lackawanna* is still in port, Capt. Reynolds thinking the action of this Government, in refusing to allow his men to have liberty on shore at Hilo, sufficient reason for not returning there. He knows his presence here is an eyesore to them, and as they and he are at swords points he proposes to remain in their sight as long as he can. I have been assured by one of His Majesty's ministers that this Government has no fault to find with the United States or any man-of-war, but that they object to Capt. Reynolds personally. I give you this information for what it is worth. My own opinion is that both parties are in the wrong.

The legislature opens on Saturday next, notwithstanding the absence of the King. The King's father will deliver the opening speech in native, and the chief justice, Judge Allen, will deliver the same in English. There may be some interesting matters before the legislature during the session, but the main point will be to see how far the present ministry can control it. There will be an effort made to separate the two houses, which, if successful, will be one point for the opposition.

I look for Gen. McCook on the *Idaho*, due May 4, and will write fully by her return.

With much love, your affectionate son,

Z. S. SPAULDING.

Notes of conversations, Saturday, September 14, 1869.

Called on Mr. DeVarigny, the minister of foreign relations, about 9:30 a. m., and after some conversation concerning the reciprocity treaty, Mr. DeV. asked me when I expected the *Lackawanna* to return. I replied that I had no definite idea as to the time.

Mr. DEV. I do not wish to see the *Lackawanna* back here. I hope when she does return she will have orders to leave immediately.

McC. For what reason?

DEV. The commander of the *Lackawanna*, Capt. Reynolds, is personally obnoxious to this Government.

McC. Why?

DEV. Because when a resident of these islands his political sentiments were displeasing to His Majesty and his ministry.

McC. What were those political sentiments?

DEV. I can not tell; they were very obnoxious.

McC. Do you wish to establish the principle that, before any American man-of-war can touch these islands, you have the right to designate who shall command her, and what his political principles shall be?

Mr. DEV. We have the same rights with regard to a man-of-war which we would have in relation to a diplomatic agent—the principle is precisely the same, and we have the right to refuse to receive the one or permit the other to remain in our ports; and if the *Lackawanna* returns to stop here, we will order her peremptorily to leave; we will send her away for the reasons I have mentioned about Capt. Reynolds, and for other and more serious reasons—this is our right and we are determined to exercise it.

McC. I decline discussing this matter any further at present. Your mind appears to be made up, and you saw proper to refer the whole matter directly to the Secretary of State of the United States, without making your communication through the legation, and Mr. Seward will no doubt take such action as will be just and proper and I hope satisfactory to you. I would suggest, however, at this time, if your Government really desires the ratification of the reciprocity treaty, it would probably be highly impolitic and imprudent to order away from your waters any man-of-war belonging to the United States, just at the time when my Government is endeavoring by the most substantial proof in their power to show their friendship for the Hawaiian Government.

About 10:30 a. m. I called on His Majesty and stated that I desired to talk with him unofficially. I repeated the conversation between Mr. De Varigny and myself and suggested that, as I intended going to Washington sometime during this fall or winter, it would probably be better to take no action in the premises, even should the *Lackawanna* remain, until he heard from me. On my arrival in Washington I would lay the whole matter before the Secretary of State and call his attention to the objections of the Hawaiian Government to the presence of the *Lackawanna* here. His Majesty replied that this had better be understood before I left. I called his attention to the dispatch of the Secretary of State, No. 31, containing renewed assurances of the desire of the United States to maintain just and amicable relations with the King of the Hawaiian Islands, and also to all my past assurances that the *Lackawanna* was here on a friendly mission and for no unusual purpose. I thought that after all these assurances of friendship from all the representatives of my Government he ought to be satisfied as to their feelings. The past conduct of the United States toward the Government of these islands should be the best assurance that his sovereignty would always be respected in the future as it had been in the past.

His Majesty spoke of newspaper articles in the press of the United States, advocating the annexation or acquisition of those islands. I said that the newspapers of a country did not always represent the

sentiments of the government. Editors in the United States were in the habit of publishing pretty much what they pleased, without consulting the wishes of any person. The articles His Majesty referred to had, undoubtedly, originated here in Honolulu. They displayed a local knowledge of persons and things which no resident of the United States would possess. As for acquisition, the United States had never yet acquired a foot of territory by conquest. The additions to her boundaries had all been made like that of Russian America, by purchase, and, although I did not speak by authority, yet I had no doubt but that my Government would pay a liberal compensation for the cession of any of these islands or all of them. The growing trade of the United States on the Pacific made it almost necessary that we should have some good naval depot between the Pacific coast and China.

His Majesty answered that he did not believe that his people would ever permit him to cede any of the four larger islands of the group. I said that money was a great power, particularly with a needy population, and with a very small portion of the amount he might receive for such a cession he would probably be able to direct the sentiments of his people in any channel he desired. He replied that Honolulu and Hilo were the only two good ports on the islands; that Hilo might be made an excellent harbor by spending some money for a breakwater, but it was on one of the largest islands, and he did not see, on the whole, how he could sell part of an island or the best port in it; he also said that it would not be their policy to part with any of the larger islands. It might not be objectionable to part with one of the smaller ones, but one of them could be of no value to the United States, because they had no harbors at all.

I thanked His Majesty for the interview, and requested that he would not mention the subject of our conversation to his ministry or any person else, as it would only produce unnecessary and undesirable comment. He replied that it would not be mentioned by him to any person.

From the manner of the King during the whole interview, I was led to believe that the subject of our conversation was not an unfamiliar one.

No. 189.] LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 7, 1873.

HON. HAMILTON FISH,
Secretary of State,
Washington, D. C.:

SIR: The new Government here seems well established and in working order, appointments to fill its offices having given general satisfaction to our resident countrymen.

The English and German portion of the community, however, complain that their respective nationalities have not been duly considered in the composition of this "cosmopolitan government."

A strong movement is afoot to induce King Lunailo to visit Washington and endeavor to form a reciprocity treaty with the United States, failing to obtain which it is hoped the occasion will be availed of for entering into negotiations for the annexation of these islands to the United States.

I respectfully suggest that proper instructions and arrangements be

made by United States Government for the conveyance of and treatment of His Majesty as the guest of the nation.

It is proper that I inform you of a remark made to me within a few days past by Capt. Cator, of H. B. M. S. *Scout*, to the effect that, in view of recent events here, his opinion was that England, France, and the United States should take possession of these islands under joint occupancy. I replied that I thought the United States Government would not consent to be a party to any such project.

I am, sir, etc.,

HENRY A. PEIRCE.

P. S.—I inclose three copies of the Hawaiian custom-house statistics for the year 1872.

No. 190.]

LEGATION OF THE UNITED STATES,
Honolulu, February 10, 1873.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C. :

SIR: The subject now uppermost in the thoughts of Hawaiian officials, planters, and merchants relates to the measures needed to be taken to stop the decline of the Kingdom in its population, revenue, agricultural productions, and commerce. The panacea for the cure of these evils, in their opinion, is to be had by effecting a reciprocity treaty with the United States. This notwithstanding repeated failures heretofore in similar attempts to obtain one. Success therein is now hoped for by offering to the United States a *quid pro quo*, the cession of the sovereignty and proprietorship of the spacious, landlocked, easily defended harbor or estuary known as Ewa or Pearl River, in this island, 10 miles distant from Honolulu, and also to include the territory surrounding it, say 10 miles square in all.

There is a bar at the entrance of the harbor having on it 12 feet of water at low tide, but the depth can be increased to any reasonable extent without great expense.

The harbor is sufficiently spacious for several hundred ships to ride in safety. Inclosed herewith is extract from the P. Commercial Advertiser, newspaper, of date 8th inst., entitled "Reciprocity," that develops the views of those urging this project.

My opinion in regard to probable success of the measure named having been solicited by several persons high in authority, but in an unofficial manner, I have said in reply that in my judgment the United States Government would object to acquiring sovereignty over a part only of this island. That the consideration offered by the Hawaiian Government for a reciprocity treaty with the United States is certainly a very generous one, inasmuch as my Government now derives in imports from these islands, in customs revenue, only about \$370,000 per annum. Nevertheless, as the proposed measure or treaty would allow the Hawaiian Government to continue to maintain its sovereignty over the other portion of the island of Oahu not occupied by the United States, therefore the latter would not, probably, seriously entertain the proposition in the shape presented. Since this conversation occurred I have consulted on the subject-matter with Rear-Admiral Pennack, who is of the opinion that the United States Government should accept the proposition of the harbor of Pearl River, even

under the terms and conditions as foreshadowed by the Hawaiian Government officials.

I am expecting to receive ere long some definite proposals in regard to the subject-matter.

The native newspaper, "Kuokoa," opposes the suggestion mooted here in regard to King Lunaleho visiting Washington for the purpose of effecting a treaty, and some of the cabinet also oppose it, on account of the King's want of self-restraint in the use of intoxicating liquors.

I am, etc.,

HENRY A. PEIRCE.

P. S.—Mail steamer *Nevada*, left on the 27th ultimo for San Francisco, returned on the 6th instant to recoal—sailed on 7th instant; vessel leaked badly, with machinery and boilers in bad condition. Delay in receipt by you of my dispatches (No. 179 to 189) by that vessel is to be regretted.

Yours, etc.,

HENRY A. PEIRCE.

No. 191.] LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 17, 1873.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.:

SIR: Annexation of these islands to the United States and a reciprocity treaty between the two countries are the two important topics of conversation and warm discussion among Government officials and foreign residents.

A large majority of the latter favor the first-named project, while the former advocate reciprocity. All are convinced, however, that some measure should be taken by the Hawaiian Government to effectually stay the decline in the prosperity of the country, evidenced in decreasing exports, revenue, population, whale fishery, and an increasing public debt.

Annexation of the islands to the United States will never, in my opinion, be adopted or presented as a Government measure, however much the people as a whole may desire it. The glitter of the crown, love of power, and emoluments of office have too many attractions to prevent it. Should the great interests of the country, however, demand that "annexation" shall be attempted, the planters, merchants, and foreigners generally will induce the people to overthrow the Government, establish a republic, and then ask the United States for admittance into its Union. My opinion has recently been frequently asked in regard to probable success of the two measures proposed. I have said that if annexation or a reciprocity treaty is proposed on the part of Hawaii to the United States, that the subject will, in either case, be profoundly considered and decided upon. But in view of former non-success in attempts to secure reciprocity with the United States, and the complications that might inure to both nations if cession of the harbor of Pearl River were to be accepted by the United States as proposed in the present instance, I thought the proffer of the cession pure and simple of the whole archipelago would have the better chance for success as compared with reciprocity under the conditions now suggested.

Those favoring the former measure think it can be carried if the King's consent thereto is first obtained (and endeavors will be made to that end), provided the United States will, for and in consideration of said cession, pension off His Majesty and all the chiefs of royal blood with the aggregate sum per annum of \$125,000, and pay off the Hawaiian national debt, now amounting to about \$250,000, and bestow upon the cause and for the benefit of education, public schools, and the nation's hospitals (three of latter in number) the proprietorship and revenues of the crown and public lands. The value of said lands is at present estimated at about \$1,000,000. It includes, however, the public buildings, waterworks, wharf property, fish ponds, etc. The income of the crown lands, now inuring to the sovereign, amounts to about \$25,000 per annum. The public, or Government, waterworks, give about \$15,000 per annum, wharf property about the same, notwithstanding the free use of them granted to steamship lines.

Many persons are lukewarm on the subject of annexation to the United States solely for the reason that they fear repulse by the United States Government. I think the latter should declare its policy and objects in regard to this important subject. This nation is bewildered and suffering to some degree, not knowing how to shape its own policy in connection with its hopes and expectations in regard to the United States.

I inclose herewith an extract from the Commercial Advertiser of the 15th inst., headed "Annexation," considered here as intended to be a feeler on the subject.

With great, etc.,

HENRY A. PEIRCE.

P. S.—Your dispatches Nos. 78 and 79 are received. Should the King Lunalilo conclude to visit Washington, his departure will not take place before October next.

SAN FRANCISCO, CAL., May 8, 1873.

Hon. WM. W. BELKNAP,
Secretary of War, Washington, D. C.:

SIR: In compliance with your confidential instructions of the 24th June, 1872, we have the honor to state that we have visited the Sandwich Islands and ascertained the defensive capabilities of their different ports, examined into their commercial facilities, and collected all the information in our power on other subjects in reference to which we ought to be informed in the event of a war with a powerful maritime nation, and we have now the honor to submit the following

REPORT:

We left this city on the 30th of December, 1872, on board the U. S. *California*, the flagship of Rear-Admiral Pennock, U. S. Navy, and arrived at Honolulu January 15, 1873. Admiral Pennock had received instructions from our Government to proceed to the Sandwich Islands in his flagship and bring to the United States the late King Kamehameha VI.

A few days before sailing, however, the news of the death of the king was received in San Francisco.

When we arrived at Honolulu we found a new King, Lunalilo, had been elected by an almost unanimous vote of the people. He had been inaugurated, and his Government was established in an orderly manner. At an audience with the King and his ministers, Admiral Pennock made known his instructions from the Secretary of the Navy, to offer a passage to the late King to the United States.

We were present at this interview and the announcement of the generous intentions of the Government of the United States toward the late King appeared to establish, at once, the best relations between the new King and Admiral Pennock, as also between the members of his Government and ourselves.

This was fortunate, as it gave us all desirable facilities for accomplishing the objects of our visit; enabled us to converse frankly with the King and his ministers upon the subject and to ascertain their feelings and wishes concerning it, as well as their general policy toward the United States. We ascertained from the officers of the U. S. Navy, from maps, and from seafaring men that Honolulu is the only good commercial harbor in the whole group of the Sandwich Islands.

There are many other so-called harbors, or places for anchorage, but they are mostly open roadsteads affording shelter only from certain winds, and they are all entirely incapable of being defended by shore batteries. Even the harbor of Honolulu itself can not be defended from the shore. It is a small harbor lying seaward from the land and only protected from the sea by outlying coral reefs.

An enemy could take up his position outside of the entrance to the harbor and command the entire anchorage, as well as the town of Honolulu itself. This harbor would therefore be of no use to us as a harbor of refuge in a war with a powerful maritime nation.

With one exception there is no harbor on the islands that can be made to satisfy all the conditions necessary for a harbor of refuge in time of war. This is the harbor of Ewa or Pearl River situated on the Island of Oahu, about 7 miles west of Honolulu.

Pearl River is a fine sheet of deep water extending inland about 6 miles from its mouth, where it could be completely defended by shore batteries. The depth of water after passing the bar is ample for any vessel.

Pearl River is not a true river; it partakes more of the character of an estuary. It is divided into three portions called "locks"—the east lock, the middle lock, and the west lock, the three together affording some 30 miles of water front, with deep water in the channels. Of these locks the east lock is the best, having the most room, the deepest water, and presenting the greatest facilities for shore improvements. In the middle of this lock there is an island called "Rabbit Island," having deep water close to its shores and fine anchorage all around it. This island is a level coral island, rising only a few feet above high-water level. It is destitute of fresh water, but there is a great abundance of good water on the adjacent shores, which could be carried to the island at small expense.

From our examinations we are of the opinion that this island and the adjacent shore to the north and west of it afford the most advantageous location for a naval depot of supplies and equipment in all these waters. But there is not sufficient water at present for heavy vessels to enter this Pearl River harbor. At the entrance to the harbor is a coral reef some 250 to 300 yards in width, with a depth of water of only 2 to 3 fathoms on the reef at low water. This reef appears to extend around the island, being broken only at the entrance to Honolulu Harbor, and

in fact we are informed that a platform of coral reefs fringe most of the shores of all the islands of the Hawaiian group, broken only in few places. This coral found at the entrance to Pearl River is "dead;" that is, it is not growing, and the reef is therefore not increasing in size. This ridge of coral forms a barrier or bar across the entrance to this harbor about 300 yards wide, measuring perpendicularly to the shore. It is comparatively level on the top, from 2 to 3 fathoms of water over it at low tide. Its sides are vertical, or nearly so, the depth of water increasing in a few feet to 4 or 5 fathoms. The outer, or sea side, then is found to be steeper than the inner, or shore side. At the distance of half a mile outside of the reef there is a depth of 15 fathoms, while at the same distance inside the reef the depth is only 8 fathoms.

If this coral barrier were removed Pearl River Harbor would seem to have all or nearly all the necessary properties to enable it to be converted into a good harbor of refuge. It could be completely defended by inexpensive batteries on either or both shores, firing across a narrow channel of entrance. Its waters are deep enough for the largest vessels of war, and its "locks," particularly around Rabbit Island, are spacious enough for a large number of vessels to ride at anchor in perfect security against all storms. Its shores are suitable for building proper establishments for sheltering the necessary supplies for a naval establishment, such as magazines of ammunition, provisions, coral, spars, rigging, etc., while the island of Oahu, upon which it is situated, could furnish fresh provisions, meats, fruits, and vegetables in large quantities.

Such being the properties of this harbor, and it being the only one on these islands possessing all the requisites, except depth of water on the bar, the question arises, can the coral reef at its entrance be removed? If so, at what cost? And again, if it be removed would the channel fill up, or would it remain open under the influence of natural causes?

A correct answer to these questions in detail can not be given without a survey of the entrance to this harbor. Under the supposition that full information on this subject would become necessary, in case negotiations were entered upon looking to the cession of Pearl River Harbor to the United States, we informally requested Admiral Pennock to include a detailed survey of the entrance to this harbor in his examinations and surveys of the harbors of these islands. The Admiral promised to have such surveys made; when it is received, a detailed estimate of the cost of removing the coral barrier can be made. We will state however that Lieut. Col. Alexander crossed this bar several times while we were at Honolulu. He did not undertake a survey, but he took soundings on and around the reef, and examined its character and outline. He found the reef composed mostly of coral in situ, covered over in small patches for a few inches in depth with coral sand, being fragments of coral and coral rock thrown upon the reef and ground to pieces under the action of the waves and tidal currents. It is his opinion that an entrance could easily be cut through this coral reef by surface blasting and that the fine debris would be washed seaward under the influence of the currents, while the larger masses could be removed by dredging or by divers, the islands furnishing many men skilled in such business.

He further gives it as his opinion, founded on the examinations he was able to make, that the amount of coral to be removed to open a channel 200 yards in width, with a depth of 26 feet of water at low tide, would be about 250,000 cubic yards, and that it could be removed for

\$1 per cubic yard, or for a sum of about \$250,000. It should be observed, however, that this is only an approximate estimate of the cost of this work. Detailed estimates could only be made after accurate surveys and thorough investigation made for this special purpose.

As the entrance to Honolulu harbor shows no tendency to fill up, and as the entrance to Pearl River, if opened, will be almost exactly like that of Honolulu, we see no reason at present to fear a filling up on the bar after a passage through the coral reef at its mouth shall have been secured. Upon this point, however, it will be safe to withhold opinions until the character of the bottom just outside the coral reef is accurately ascertained.

If the survey and examination should show a large quantity of coral sand there, and if the resulting currents of the ebb tide do not remove it, it is possible that some of this sand might accumulate in the channel of entrance during storms from seaward.

In case it should become the policy of the Government of the United States to obtain the possession of this harbor for naval purposes, jurisdiction over all the waters of Pearl River with the adjacent shores to the distance of 4 miles from any anchorage should be ceded to the United States by the Hawaiian Government.

This would be necessary in order to enable the Government to defend its depots and anchorages in time of war by works located on its own territory. Such a cession of jurisdiction would embrace a parallelogram of about 10 by 12 miles.

It would not be necessary, however, for the Government of the United States to own all this land. On the contrary, Rabbit Island and a few thousand acres of the shore to the northward and westward of it, the limits of which could be determined after careful survey, with sufficient land on either side of the entrance of the harbor for fortification purposes, equal in area to about 1 square mile on either side, would be all the land which it would be necessary for the Government to own. All the rest of the land which might be embraced in any cession of jurisdiction could remain in the hands of the present owners.

We remark that the Hawaiian Government is now having a survey made of Pearl River and the vicinity. This survey will show the nature of the country and the ownership of all abutting lands. When it is completed it will enable us to define distinctly the boundaries of the district over which jurisdiction should be ceded, in case our Government wishes to acquire possession of that harbor. We can then also designate what land the Government would require for naval purposes and for fortifications at the entrance of the harbor.

From what we could learn of the feelings of the Hawaiian Government on this subject, we believe it would be possible for the United States to obtain such a cession of jurisdiction and of land as we have indicated should it become the policy of the Government to establish a naval depot in these islands.

The cession of Pearl River and of so much of the surrounding district as might be necessary for its defense, and the title to all the positions which would be occupied by the Government either for naval or military purposes, would probably be freely given by the Government of these islands as a *quid pro quo* for a reciprocity treaty.

We remark in this connection that sugar is the principal product of these islands, and that it is mostly exported to the Pacific coast of the United States.

The great object of the Hawaiian Government in seeking a reciprocity treaty with the United States has been, and will probably continue to

be, to relieve its sugar-planters from the operation of our tariff on that article.

The cession of Pearl River could probably be obtained by the United States in consideration of the repeal of the duty on Sandwich Island sugar. Indeed, the sugar-planter sare so anxious for a reciprocity treaty, or so anxious rather for free trade in sugar with the United States, that many of them openly proclaim themselves in favor of annexation of these islands to the United States.

The members of the present Government of the Hawaiian Islands seem fully alive to the necessity of relieving their principal industry from the heavy burden under which it now suffers, and no other mode of relief seems possible but annexation or reciprocity.

Neither the Government nor the native people of the islands are, it is believed, prepared to consider the question of annexation at the present time, even if the United States desired to propose it, but the cession of Pearl River harbor as an equivalent for free trade is freely discussed and favorably considered by the Government and people.

It is to be observed that if the United States are ever to have a harbor of refuge and naval station in the Hawaiian Islands in the event of war, the harbor must be prepared in advance by the removal of the Pearl River bar.

When war has begun it will be too late to make this harbor available, and there is no other suitable harbor on these islands.

We have the honor to be, very respectfully, your obedient servant,

J. M. SCHOFIELD,
Major-General U. S. Army.

B. S. ALEXANDER,
Lieutenant-Colonel Engineers, Brevet Brigadier-General U. S. Army.

No. 241.] LEGATION OF THE UNITED STATES OF AMERICA.

Honolulu, February 11, 1874.

Hon. HAMILTON FISH,

Secretary of State, Washington, D. C.:

SIR: A telegram addressed to you by this legation, under date of February 7th instant, informed you of the decease of King Lunalilo on the 3d instant, and that in consequence of his not having nominated a successor for the throne, the legislative assembly was called to convene on the 12th instant for the purpose of choosing a new sovereign. Inclosed herewith is a portion of the Hawaiian Gazette of this date, which gives the official correspondence between this Government and the representatives of foreign countries in regard to Lunalilo's death. It also contains an obituary notice, entitled "Our Late King," and some other interesting matter pertaining to the same general subject. I also forward herewith some specimens of the political placards and broadsides with which the town has been inundated during the past few days; and which have tended to excite the popular mind to fever heat in regard to the succession to the throne.

Thinking it to be a prudent measure to be prepared against any violation of the public peace that may take place to-morrow—on the occasion of the election of a new sovereign—I have verbally requested Commander Belknap, commanding the U. S. S. *Tuscarora* and senior naval officer present, the U. S. S. *Portsmouth*, Commander Skerriitt, being also in this port, to be prepared to land an armed force, in case it

were required for the preservation of the peace and protection of life and property. I also addressed to him a note suggested by the Hawaiian minister of foreign affairs, recommending that the crews of the two vessels should be kept on board on the day of the national election, and for the reasons therein named. Copy of said note, together with Commander Belknap's reply, is herewith inclosed, marked No. 3.

Mr. Wodehouse, British commander, just now called at the legation, and proposed that in case it became necessary to land an armed force from the vessels of war in port, that those belonging to H. B. M. ship *Tendos* and the United States vessels should be required to act in concert and unitedly for the preservation of good order and protection of life and property while occupying the town of Honolulu.

In reply I informed Mr. Wodehouse that in the contingency named the American forces, if landed, would act by request of the Hawaiian authorities, and for the sole purposes he named; that I felt unwilling to trammel myself with pledges and understandings, as events might possibly arise requiring of me independent action and no time given me to consult with him. Therefore I felt compelled to decline his proposition.

To all this Mr. Wodehouse said, "very well."

I am, etc.,

HENRY A. PIERCE.

No. 243.] LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 17, 1874.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.:

SIR: I have now the honor to make report of what has transpired here on and since the 12th instant. On that day the legislative assembly elected the high chief, Hon. David Kalakaua, King of these islands; 39 votes were cast for him and 6 for Queen Emma, relict of Kamehameha IV. On the 13th instant he was installed as sovereign, under the name of "Kalakaua" (the word signifying "the day of battle") in presence of all the officers of Government, the members of the diplomatic and consular corps, naval officers, and many other spectators.

On the announcement by the president of the assembly from the balcony of the court-house at 3 p. m. of 12th instant that Kalakaua was elected King, the populace received it with jeers and contempt.

The members of a committee that had been appointed by the assembly to wait upon Kalakaua and inform him of his election, as soon as they emerged from the building, were set upon and beaten by a mob. The majority of the committee were compelled to return to it, in a wounded and sad condition. The rioters thereupon assaulted the court-house, broke its windows and sashes, forced in the rear doors, and effected an entrance to the rooms. The offices of the attorney-general, of Judge Hartwell and others, were sacked and gutted, and all their books and valuable papers thrown into the street and destroyed. They visited the room of the assembly, broke and destroyed the furniture, and assaulted such of the obnoxious members as they found within the building, viz, 10 or 12 persons in all. Some of these, severely injured and senseless, were carried off by friends, the others escaped. The crowd outside continued to increase, and became more threatening

and menacing. Cries were heard to "fire the town." About 40 policemen, selected for the purpose, were on duty during the day; but when required to make arrests of rioters, took off their badges of office and disappeared among the crowd. The volunteer companies of the militia were not called out to assist in maintaining order, for the reason as I was told, that they could not be depended upon, being divided in political opinions.

It was at this condition or aspect of affairs that I received requests from the King elect and Minister Bishop and Governor Dominis to cause an armed force to be landed from the United States vessels of war *Tuscarora* and *Portsmouth*, then in port. To Commander Belknap, of the *Tuscarora*, as being the senior United States naval officer present and eyewitness with myself of all the events of the day, I immediately made the request, in conformity with the solicitations of the authorities above named. Within the space of ten minutes' time 150 men and officers, under the respective commands of Commander Belknap and Commander Skerrett, were landed from their vessels, and arrived at the court-house and took possession of the building and square of ground surrounding the same. The greater part of the mob instantly dispersed. Some few of the ringleaders who remained were arrested on the spot by deputy sheriffs, assisted by our officers and men.

The armed force of 70 men that were landed from the British corvette *Tenedos* did not reach the court-house grounds until sometime after our forces had taken possession of the place. I am confident in belief that no request was originally made by the native authorities for the assistance of the English armed force. The executive officer and captain of marines of the *Tenedos*, in the absence of Capt. Ray, took the responsibility of landing them without orders; and they received the censure of Capt. Ray for same.

The matter has, however, been accepted and sanctioned by the Hawaiian authorities, and a letter, antedated, sent to the British commissioner making a request for assistance.

The United States forces have, since the 12th instant p. m., guarded the court-house, armory, treasury, prison, and station-house. The British force, after dispersing the crowd of natives that were assembled on the grounds of Queen Emma, and on making there a few arrests of ringleaders, then marched to occupy the barracks and to guard the palace and its grounds. There they have remained since the 12th instant.

On the night of the 12th instant some two or three shots were discharged upon the American guard at the court-house and returned by the latter. No one received damage therefrom. The town has been in a condition of peace and good order ever since then. Fifty-three rioters are in prison awaiting trial. Inclosed herewith are the following papers.

Extracts from the I. Commercial Advertiser of February 14, 1874, giving accounts of the doings of the assembly on the 12th instant, the particulars of the riot, with other interesting articles contained therein.

Copy of resolutions unanimously passed by the assembly on the 14th instant, tendering their thanks to the representatives of foreign powers and to the officers and crews of the war vessels in port for generous assistance given in preserving the peace and order of the Kingdom on the 12th day of February, 1874.

Printed copy of resolutions adopted by the foreign consular corps appointing the consuls for the German Empire and for France a committee to call upon the representatives of the United States and Great

Britain, and to convey to them the sincere thanks of the foreign consuls for the promptness and impartiality with which the ships of war in port assisted the local authorities in putting an end to the disturbance on the 12th instant, and praising the conduct of officers and men.

Copy of a circular of date February 13, 1874, addressed to the legation from the Hawaiian department for foreign affairs, informing of the election of David Kalakaua, King of the Hawaiian Islands. Same to the same, of date February 14, 1874, informing that His Majesty the King had appointed, by the consent of the nobles, under the twenty-second article of the constitution, his brother, his royal highness Prince William Litt Leleiohoku, to be his successor to the throne after His Majesty's decease.

Photographic likeness of King Kalakaua, and a biographical notice of him. Born November 16, 1836; educated at royal school then in charge of American missionaries; married December 19, 1863. Has wife and several children living, neither of whom are in the line of the succession to the throne.

Copies addressed by the legation to Commander Belknap, senior officer present, commanding the U. S. S. *Tuscarora* off Honolulu. One dated February 10, 1874, recommending the retention on board on the 12th instant (the day of election for King) the crews of the *Tuscarora* and *Portsmouth*. Another dated February 16, 1874, conveying my grateful acknowledgments and thanks to him and Commander Skerrett for valuable, discreet, and efficient services performed by the United States forces on the occasion of the riot in this town on the 12th instant, and for their subsequent services. In this connection, I beg leave further to say that the legation and all American citizens here are under deep obligations to Commanders Belknap and Skerrett, their officers and enlisted men and marines, composing the forces that were landed on the 12th instant, for suppressing the riot of that day and for services rendered since in guarding the public buildings and preserving order.

The disposition and handling of the force were admirable, and I observe that officers and men were disposed to use no more violence while suppressing the disturbance than was absolutely necessary to effect the object, and their conduct is deserving of commendation for that as well as in other respects.

At midnight of the 12th instant I received a note signed by King Kalakaua, requesting my presence at the palace at 7 o'clock the ensuing morning. On arrival there I found present His Majesty, Mr. Bishop, minister of foreign affairs, Mr. Wodehouse, British commissioner, and Mr. Ballieu, French commissioner.

Mr. Bishop stated that the object of the meeting was to ascertain whether the representatives of the United States, Great Britain, and France then present, respectively, recognized Kalakaua as sovereign of the Hawaiian Kingdom. Each of said representatives replied in the affirmative.

Mr. Bishop then informed us that the King would be sworn into office and inaugurated on that day at 11 o'clock a. m., and he desired our presence on the occasion. The ceremony being hastened as to time, on account of the critical condition of affairs, the installation took place as arranged.

At the request of Mr. Bishop, Mr. Wodehouse, and Mr. Ballieu, I called the same morning on Queen Emma, and by authority of my colleagues and in my own capacity as minister resident of the United States, as well as her friend, said to her that each member of the diplomatic corps had acknowledged David Kalakaua as the King of the

Hawaiian Islands and should hereafter recognize him as such, and we advised her to do the same, for the interests of herself and people and for the preservation of the peace of the Kingdom; that any further opposition to the declared will of the assembly, in regard to the succession to the throne, might result in serious difficulty to her and her supporters; that we recommended her to accept the fact of the legality of Kalakaua's election as King, and to urge her people to likewise do the same, and not to commit any more acts of violence or disorder. Queen Emma listened to my remarks and advice with great attention and respect.

The same day, in the afternoon, she publicly addressed her people and gave them the counsel I had indicated, and also sent a message to the King that she acknowledged him as sovereign of the realm and that her people would do the same. The following morning the King called in person on her, was favorably received, and amicable relations now exist between them and the peace of the kingdom seems restored.

There is a lamentable want of physical strength in the Government to protect itself and foreign residents. The late riot was a natural outgrowth of the mutiny at the barracks last August and the impunity with which the offenders were let off. The weakness of the Government will probably increase, as the military and police force can not be relied on to support the law or to arrest its violation.

Were it not for the serious condition of things emanating from the above-named facts one would be amusingly reminded by the Hawaiian court and Government, their parade paraphernalia, etiquette, and diminutiveness of the nation and absence of strength, of the court and government of Offenbach's Grand Duchess of Gersaltine.

Hereafter a United States vessel of war should always be stationed at these islands under a system of reliefs. A time may arrive when the United States Government will find it necessary for the interests of our nation and its resident citizens here to take possession of this country by military occupation.

I am, sir, etc.,

HENRY A. PIERCE.

No. 245.] LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 20, 1874.

HON. HAMILTON FISH,
Secretary of State:

SIR: Herewith inclosed is copy of the correspondence relating to the withdrawal of the United States armed force from this city. The event took place this morning at 6 o'clock, after a stay on shore of nearly eight days. The conduct of the officers and men during the whole period has been of a character entirely unexceptionable and deserving of commendation.

The British force landed from the *Tenedos*, about 70 men and officers, return on board this forenoon.

Since order was restored the King has daily invited two or three of the officers in charge of our force to dine with him; and all, both officers and men, express satisfaction with their treatment while on shore.

Very respectfully,

HENRY A. PIERCE.

Mr. Green to Mr. Pierce.

DEPARTMENT OF FOREIGN AFFAIRS,
Honolulu, February 21, 1874.

SIR: I am commanded by His Majesty the King to thank you in his name and in that of His Majesty's Government, and through you Commander Belknap and Commander Skerrett, of the U. S. S. *Tuscarora* and *Portsmouth*, for the prompt and efficient aid rendered to the local authorities in suppressing the riot in this city on the 12th instant.

The events of that day, unfortunate as they may have been, served to exhibit the feelings of friendship which exist between the two countries and the certainty with which this Government may rely in cases of emergency upon the cordial and disinterested coöperation of the representatives and ships of the United States, as well as those of Her Britannic Majesty.

I have the honor to be, with great respect and high consideration, your excellency's, etc.,

W. L. GREEN.

His Excellency HENRY A. PIERCE,
Minister Resident of the United States.

Mr. Pierce to Mr. Fish.

[Extract.]

No. 291.]

LEGATION OF THE UNITED STATES,
Honolulu, October 12, 1874.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.:

SIR:

* * * * *

The English and French commissioners here inform me that they are opposed to the act of King Kalakaua's departure out of his Kingdom, on account of its present political condition. I am, however, of the belief that they are not actuated therein by a real regard for the welfare of this nation, but by a desire to throw obstacles in the way of and prevent if possible closer relations taking place between Hawaii and the United States.

It is not thought probable that the King will extend his tour from the United States to England and France. It is reported that his finances are in a low condition.

Inclosed herewith are two articles, extracted from the *Friend* newspaper, on the subject of reciprocity with the United States and advocating the same.

In view of the best interests of the United States in their relations with these islands, I take the liberty to express the hope that a liberal commercial treaty may soon be inaugurated by the two countries, feeling confident that such act would result to the equal benefit of both nations in a pecuniary sense, and moreover be the means of binding this archipelago to the United States by the chains of self-interest, never to be severed.

I am, sir, with great respect, your obedient servant,

HENRY A. PIERCE.



HAWAIIAN ISLANDS—COMMERCIAL RECIPROCITY.

Convention between the United States of America and His Majesty the King of the Hawaiian Islands.

COMMERCIAL RECIPROCITY.

Concluded January 30, 1875.

Ratification advised by Senate March 18, 1875.

Ratified by President May 31, 1875.

Ratified by King April 17, 1875.

Ratifications exchanged at Washington June 3, 1875.

Proclaimed June 3, 1875.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a convention between the United States of America and His Majesty the King of the Hawaiian Islands, on the subject of commercial reciprocity, was concluded and signed by their respective plenipotentiaries, at the city of Washington, on the thirtieth day of January, one thousand eight hundred and seventy-five, which convention, as amended by the contracting parties, is word for word as follows:

The United States of America and His Majesty the King of the Hawaiian Islands, equally animated by the desire to strengthen and perpetuate the friendly relations which have heretofore uniformly existed between them, and to consolidate their commercial intercourse, have resolved to enter into a convention for commercial reciprocity. For this purpose the President of the United States has conferred full powers on Hamilton Fish, Secretary of State; and His Majesty the King of the Hawaiian Islands has conferred like powers on Honorable Elisha H. Allen, chief justice of the supreme court, chancellor of the Kingdom, member of the privy council of state, His Majesty's envoy extraordinary and minister plenipotentiary to the United States of America, and Honorable Henry A. P. Carter, member of the privy council of state, His Majesty's special commissioner to the United States of America.

And the said plenipotentiaries, after having exchanged their full powers, which were found to be in due form, have agreed to the following articles:

ARTICLE I.

For and in consideration of the rights and privileges granted by His Majesty the King of the Hawaiian Islands in the next succeeding article of this convention, and as an equivalent therefor, the United States of America hereby agree to admit all the articles named in the following schedule, the same being the growth and manufacture or produce of the Hawaiian Islands, into all the ports of the United States free of duty.

SCHEDULE.

Arrowroot; castor oil; bananas, nuts, vegetables, dried and undried, preserved and unpreserved; hides and skins undressed; rice; pulu; seeds, plants, shrubs or trees; muscovado, brown, and all other unre-



finest sugar, meaning hereby the grades of sugar heretofore commonly imported from the Hawaiian Islands and now known in the markets of San Francisco and Portland as "Sandwich Island sugar;" syrups of sugar-cane, melado, and molasses; tallow.

ARTICLE II.

For and in consideration of the rights and privileges granted by the United States of America in the preceding article of this convention, and as an equivalent therefor, His Majesty the King of the Hawaiian Islands hereby agrees to admit all the articles named in the following schedule, the same being the growth, manufacture, or produce of the United States of America, into all the ports of the Hawaiian Islands free of duty.

SCHEDULE.

Agricultural implements; animals; beef, bacon, pork, ham, and all fresh, smoked, or preserved meats; boots and shoes; grain, flour, meal, and bran, bread and breadstuffs, of all kinds; bricks, lime, and cement; butter, cheese, lard, tallow; bullion; coal; cordage, naval stores, including tar, pitch, resin, turpentine, raw and rectified; copper and composition sheathing; nails and bolts; cotton and manufactures of cotton, bleached and unbleached, and whether or not colored, stained, painted, or printed; eggs; fish and oysters, and all other creatures living in the water, and the products thereof; fruits, nuts, and vegetables, green, dried or undried, preserved or unpreserved; hardware; hides, furs, skins and pelts, dressed or undressed; hoop iron and rivets, nails, spikes and bolts, tacks, brads or sprigs; ice; iron and steel, and manufactures thereof; leather; lumber and timber of all kinds, round, hewed, sawed, and unmanufactured, in whole or in part; doors, sashes, and blinds; machinery of all kinds, engines and parts thereof; oats and hay; paper, stationery, and books, and all manufactures of paper or of paper and wood; petroleum and all oils for lubricating or illuminating purposes; plants, shrubs, trees, and seeds; rice; sugar, refined or unrefined; salt; soap; shooks, staves, and headings; wool and manufactures of wool, other than ready-made clothing; wagons and carts for the purposes of agriculture or of drayage; wood and manufactures of wood, or of wood and metal, except furniture, either upholstered or carved, and carriages; textile manufactures, made of a combination of wool, cotton, silk, or linen, or of any two or more of them, other than when ready-made clothing; harness and all manufactures of leather; starch; and tobacco, whether in leaf or manufactured.

ARTICLE III.

The evidence that articles proposed to be admitted into the ports of the United States of America, or the ports of the Hawaiian Islands, free of duty, under the first and second articles of this convention, are the growth, manufacture, or produce of the United States of America or of the Hawaiian Islands, respectively, shall be established under such rules and regulations and conditions for the protection of the revenue as the two Governments may from time to time respectively prescribe.

S. Ex. 77—11.



ARTICLE IV.

No export duty or charges shall be imposed in the Hawaiian Islands, or in the United States, upon any of the articles proposed to be admitted into the ports of the United States or the ports of the Hawaiian Islands free of duty under the first and second articles of this convention. It is agreed, on the part of His Hawaiian Majesty, that, so long as this treaty shall remain in force, he will not lease or otherwise dispose of or create any lien upon any port, harbor, or other territory in his dominions, or grant any special privilege or rights of use therein, to any other power, state, or government, nor make any treaty by which any other nation shall obtain the same privileges, relative to the admission of any articles free of duty, hereby secured to the United States.

ARTICLE V.

The present convention shall take effect as soon as it shall have been approved and proclaimed by His Majesty the King of the Hawaiian Islands, and shall have been ratified and duly proclaimed on the part of the Government of the United States, but not until a law to carry it into operation shall have been passed by the Congress of the United States of America. Such assent having been given, and the ratifications of the convention having been exchanged as provided in Article VI, the convention shall remain in force for seven years from the date at which it may come into operation; and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years, or at any time thereafter.

ARTICLE VI.

The present convention shall be duly ratified, and the ratifications exchanged at Washington City, within eighteen months from the date hereof, or earlier if possible.

In faith whereof the respective plenipotentiaries of the high contracting parties have signed this present convention, and have affixed thereto their respective seals.

Done in duplicate, at Washington, the thirtieth day of January, in the year of our Lord one thousand eight hundred and seventy-five.

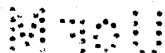
[SEAL.]
[SEAL.]
[SEAL.]

HAMILTON FISH.
ELISHA H. ALLEN.
HENRY A. P. CARTER.

And whereas the said convention, as amended, has been duly ratified on both parts, and the respective ratifications were exchanged in this city on this day:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.



Done at the city of Washington this third day of June, in the year of our Lord one thousand eight hundred and seventy-five, [SEAL.] and of the Independence of the United States the ninety-ninth.

U. S. GRANT.

By the President:

HAMILTON FISH,
Secretary of State.

1876.

Protocol of a conference between the Acting Secretary of State of the United States and the envoy extraordinary and minister plenipotentiary of His Majesty the King of the Hawaiian Islands, held at Washington on the ninth day of September, 1876.

Whereas it is provided by Article v of the convention between the United States of America and His Majesty the King of the Hawaiian Islands concerning commercial reciprocity, signed at Washington on the 30th day of January, 1875, as follows:

“Article V. The present convention shall take effect as soon as it shall have been approved and proclaimed by His Majesty the King of the Hawaiian Islands, and shall have been ratified and duly proclaimed on the part of the Government of the United States, but not until the law to carry it into operation shall have been passed by the Congress of the United States of America, such assent having been given, and the ratifications of the convention having been exchanged as provided in Article VI, the convention shall remain in force for seven years from the date at which it may come into operation; and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years, or at any time thereafter.”

And whereas the said convention has been approved and proclaimed by His Majesty the King of the Hawaiian Islands and has been ratified and duly proclaimed on the part of the Government of the United States;

And whereas an act was passed by the Senate and House of Representatives of the United States of America in Congress assembled entitled “An act to carry into effect a convention between the United States of America and His Majesty the King of the Hawaiian Islands, signed on the thirtieth day of January, eighteen hundred and seventy-five,” which was approved on the 15th day of August in the year 1876;

And whereas an act was passed by the Legislative Assembly of the Hawaiian Islands entitled “An act to carry into effect a Convention between His Majesty the King and the United States of America, signed at Washington on the 30th day of January, 1875,” which was duly approved on the 18th day of July, in the year 1876;

And whereas the ratifications of the said Convention have been exchanged as provided in Article VI.

The undersigned, William Hunter, Acting Secretary of State of the United States of America, and the Honorable Elisha H. Allen, Chief justice of the Supreme Court, Chancellor of the Kingdom, Member of the Privy Council of State, and His Majesty's Envoy Extraordinary and

Minister Plenipotentiary to the United States of America, duly authorized for this purpose by their respective Governments, have met together at Washington, and having found the said convention has been approved and proclaimed by His Majesty the King of the Hawaiian Islands and has been ratified and duly proclaimed on the part of the Government of the United States, and that the laws required to carry the said Treaty into operation have been passed by the Congress of the United States of America on the one part and by the Legislative Assembly of the Hawaiian Islands on the other, hereby declare that the Convention aforesaid concluded between the United States of America and His Majesty the King of the Hawaiian Islands on the 30th day of January, 1875, will take effect on the date hereof.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate, at Washington, this ninth day of September, one thousand eight hundred and seventy-six.

[SEAL.]
[SEAL.]

W. HUNTER.
ELISHA H. ALLEN.

Mr. Evarts to Mr. Comly.

No. 81.]

DEPARTMENT OF STATE,
Washington, November 13, 1880.

SIR: Your No. 117 of the 5th of July last, in reference to the appeal of the Hawaiian Evangelical Association for the moral influence of this Government to support the enforcement of the prohibitory liquor ordinance of Chief Lebon of the Ralik Islands, has had favorable consideration. The wise enactment of that chief requires no argument to justify the earnest support of all governments having intercourse with the islands, and this Government in particular is desirous of seeing its complete and impartial enforcement, inasmuch as one of the reported offenders is unfortunately said to be an American citizen. In view of the absence of a national representative in the Ralik group, and considering also the alleged coparceny of the German consular officer in the traffic which it is so properly sought to restrain, it has been thought that a double result might be reached by informing the German Government of our adhesion to Chief Lebon's edict, and requesting its good offices, through the agency at Jaluit and the superior consulate at Apia, to aid in the impartial and complete enforcement of the law.

While considerations of trade would hardly serve alone to warrant the establishment of a consular station of the United States in the Raliks, it is thought that the moral benefit which would flow from our proper representation in that quarter would justify the steps, if a proper person could be found to accept the position of consular agent under the consulate at Apia. It is regarded as best that the office should pertain to the Samoan scheme for more harmonious correlation with the British and German systems of consular supervision in the Pacific.

Your own good offices in the direction of making such an appointment are desired, to the extent of inquiring of the Rev. Mr. Bingham, who addressed you on the Ralik question, whether he knows of any capable American citizen in the Raliks who would accept the post without salary. Possibly the Mr. J. L. Young who wrote to Mr. Bingham from Jaluit, would be a suitable person, and if he should prove to

be a resident missionary at that place, no better recommendation would be desired.

Mr. Dawson, the consul at Apia, has been instructed in the sense of this dispatch.

I am, etc.,

WM. M. EVARTS.

Mr. Blaine to Mr. Comly.

[Confidential.]

DEPARTMENT OF STATE,

Washington, December 1, 1881.

JAMES M. COMLY, Esq., *Honolulu:*

SIR: In my formal instruction of this date I have reviewed the general question of the relationship between the United States and the Hawaiian Islands, and the position of the latter, both as an integral part of the American system and as the key to the commerce of the North Pacific. As that instruction was written for communication to the Hawaiian secretary of state, I touched but lightly on the essential question of the gradual and seemingly inevitable decadence and extinction of the native race and its replacement by another, to which the powers of Government would necessarily descend.

A single glance at the census returns of Hawaii for half a generation past exhibits this alarming diminution of the indigenous element, amounting to $1\frac{1}{2}$ per cent per annum of the population. Meanwhile the industrial and productive development of Hawaii is on the increase, and the native classes, never sufficiently numerous to develop the full resources of the islands, have been supplemented by an adventitious labor element, from China mainly, until the rice and sugar fields are largely tilled by aliens. The worst of this state of things is that it must inevitably keep on in increasing ratio, the native classes growing smaller, the insular production larger, and the immigration to supply the want of labor greater every year.

I have shown in a previous instruction how entirely Hawaii is a part of the productive and commercial system of the American States. So far as the staple growths and imports of the islands go, the reciprocity treaty makes them practically members of an American Zollverein, an outlying district of the State of California. So far as political structure and independence of action are concerned, Hawaii is as remote from our control as China. This contradiction is only explicable by assuming what is the fact, that thirty years ago, having the choice between material annexation and commercial assimilation of the islands, the United States chose the less responsible alternative. The soundness of the choice, however, entirely depends on the perpetuity of the rule of the native race as an independent government, and that imperiled, the whole framework of our relations to Hawaii is changed, if not destroyed.

The decline of the native Hawaiian element in the presence of newer and sturdier growths must be accepted as an inevitable fact, in view of the teachings of ethnological history. And as retrogression in the development of the Islands can not be admitted without serious detriment to American interests in the North Pacific, the problem of a replenishment of the vital forces of Hawaii presents itself for intelligent solution in an American sense—not in an Asiatic or a British sense.

There is little doubt that were the Hawaiian Islands, by annexation

or district protection, a part of the territory of the Union, their fertile resources for the growth of rice and sugar would not only be controlled by American capital, but so profitable a field of labor would attract intelligent workers thither from the United States.

A purely American form of colonization in such a case would meet all the phases of the problem. Within our borders could be found the capital, the intelligence, the activity, and the necessary labor trained in the rice swamps and cane fields of the Southern States, and it may be well to consider how, even in the chosen alternative of maintaining Hawaiian independence, these prosperous elements could be induced to go from our shores to the islands, not like the coolies, practically enslaved, not as human machines, but as thinking, intelligent, working factors in the advancement of the material interests of the islands.

I desire, therefore, that you will give this subject due attention. An examination and report will be valuable if showing the proportion of occupied rice and sugar lands to the unoccupied and undeveloped territory, the capacities of production, the peculiarities of climate, the wages of labor, and the cost of living. It will also be well for you in conversation with the leading men of Hawaii to turn their thoughts discreetly in the direction of inviting American colonization there. A Hawaiian homestead act for the benefit of actual American settlers, with remission of taxation during the time necessary to establish new plantations on a paying basis, might be in turn supplemented in the United States by voluntarily organized emigration schemes and co-operative aid to bona fide settlers. Throughout the continent, north and south, wherever a foothold is found for American enterprise, it is quickly occupied, and this spirit of adventure, which seeks its outlet in the mines of South America and the railroads of Mexico, would not be slow to avail itself of openings for assured and profitable enterprise even in mid-ocean.

Commending this aspect of the subject to your earnest and immediate attention,

I am, etc.,

JAMES G. BLAINE.

HAWAIIAN ISLANDS.

Supplementary convention between the United States of America and His Majesty the King of the Hawaiian Islands, to limit the duration of the convention respecting commercial reciprocity concluded January 30, 1875.

Concluded December 6, 1884; ratification advised by Senate January 20, 1887; ratified by President November 7, 1887; ratified by King October 20, 1887; ratifications exchanged at Washington November 9, 1887; proclaimed November 9, 1887.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a convention between the United States of America and the Kingdom of the Hawaiian Islands, for the purpose of definitely limiting the duration of the convention concerning commercial reciprocity concluded between the same high contracting parties on the

thirtieth day of January, 1875, was concluded and signed by their respective plenipotentiaries at the city of Washington, on the sixth day of December, in the year of our Lord 1884, which convention, as amended by the Senate of the United States and being in the English language, is word for word as follows:

Supplementary convention to limit the duration of the convention respecting commercial reciprocity between the United States of America and the Hawaiian Kingdom, concluded January 30, 1875.

Whereas a convention was concluded between the United States of America and His Majesty the King of the Hawaiian Islands, on the thirtieth day of January, 1875, concerning commercial reciprocity, which by the fifth article thereof was to continue in force for seven years from the date after it was to come into operation, and further, until the expiration of twelve months after either of the high contracting parties should give notice to the other of its wish to terminate the same; and

Whereas the high contracting parties consider that the increase and consolidation of their mutual commercial interests would be better promoted by the definite limitation of the duration of the said convention:

Therefore, the President of the United States of America and His Majesty the King of the Hawaiian Islands have appointed:

The President of the United States of America, Frederick T. Frelinghuysen, Secretary of State; and

His Majesty the King of the Hawaiian Islands, Henry A. P. Carter, accredited to the Government of the United States, as His Majesty's envoy extraordinary and minister plenipotentiary;

Who, having exchanged their respective powers, which were found sufficient and in due form, have agreed upon the following articles:

ARTICLE I.

The high contracting parties agree, that the time fixed for the duration of the said convention, shall be definitely extended for a term of seven years from the date of the exchange of ratifications hereof, and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years or at any time thereafter.

ARTICLE II.

His Majesty the King of the Hawaiian Islands grants to the Government of the United States the exclusive right to enter the harbor of Pearl River, in the island of Oahu, and to establish and maintain there a coaling and repair station for the use of vessels of the United States, and to that end the United States may improve the entrance to said harbor and do all other things needful to the purpose aforesaid.

ARTICLE III.

The present convention shall be ratified and the ratifications exchanged at Washington as soon as possible.

In witness whereof the respective plenipotentiaries have signed the

present convention in duplicate, and have hereunto affixed their respective seals.

Done at the city of Washington the 6th day of December, in the year of our Lord 1884.

FREDK. T. FRELINGHUYSEN. [L. S.]
HENRY A. P. CARTER. [L. S.]

And whereas the said convention, as amended, has been duly ratified on both parts, and the respective ratifications of the same have been exchanged.

Now, therefore, be it known that I, Grover Cleveland, President of the United States of America, have caused the said convention to be made public to the end that the same and every article and clause thereof, as amended, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this ninth day of November, in the year of our Lord one thousand eight hundred and eighty-seven, and of the Independence of the United States the one hundred and [SEAL.] twelfth.

GROVER CLEVELAND.

By the President:

T. F. BAYARD,
Secretary of State.

Parcels Post Convention between the United States of America and the Hawaiian Kingdom.

For the purpose of making better postal arrangements between the United States of America and the Hawaiian Kingdom, the undersigned, Don M. Dickinson, Postmaster-General of the United States of America, and H. A. P. Carter, envoy extraordinary and minister plenipotentiary of the Hawaiian Kingdom at Washington, by virtue of authority vested in them by law, have agreed upon the following articles for the establishment of a parcels post system of exchanges between the two countries.

ARTICLE I.

The provisions of this convention relate only to parcels of mail matter to be exchanged by the system herein provided for, and do not affect the arrangements now existing under the Universal Postal Union Convention, which will continue as heretofore; and all the agreements hereinafter contained apply exclusively to mails exchanged under these articles, *directly* between the office of San Francisco, in the State of California, and such other offices within the United States as may be hereafter designated by the Postmaster-General of the United States, and the office of Honolulu, in the island of Oahu, and such other offices within the Hawaiian Islands as may be hereafter designated by the postmaster-general of the Hawaiian Kingdom; such matter to be admitted to the mails under these articles as shall be sent through such exchange offices from any place in either country to any place in the other.

ARTICLE II.

1. There shall be admitted to the mails exchanged under this convention, articles of merchandise and mail matter, except letters, post cards, and written matter, of all kinds, that are admitted under any conditions to the domestic mails of the country of origin, except that no packet must exceed 5 kilograms or 11 pounds in weight, nor the following dimensions: Greatest length, three feet six inches; greatest length and girth combined, six feet; and must be so wrapped or inclosed as to permit their contents to be easily examined by postmasters and customs officers; and except that the following articles are prohibited:

Publications which violate the copyright laws of the country of destination; poisons, and explosive or inflammable substances; fatty substances, liquids, and those which easily liquefy, confections and pastes; live or dead animals, except dead insects and reptiles when thoroughly dried; fruits and vegetables, and substances which exhale a bad odor; lottery tickets, lottery advertisements, or lottery circulars; all obscene or immoral articles; articles which may in any way damage or destroy the mails, or injure the persons handling them; also opium.

2. All admissible articles of merchandise mailed in one country for the other, or received in one country from the other, shall be free from any detention or inspection whatever, except such as is required for collection of customs duties, and shall be forwarded by the most speedy means to their destination, being subject in their transmission to the laws and regulations of each country respectively.

ARTICLE III.

1. A letter or communication of the nature of personal correspondence must not accompany, be written on, or enclosed with any parcel.

2. If such be found, the letter will be placed in the mails if separable, and if inseparably attached, the whole package will be rejected. If, however, any such should inadvertently be forwarded, the country of destination will collect double rates of postage according to the Universal Postal Union Convention.

3. No parcel may contain parcels intended for delivery at an address other than the one borne by the parcel itself. If such enclosed parcels be detected, they must be sent forward singly, charged with new and distinct parcel post rates.

ARTICLE IV.

1. The following rates of postage shall in all cases be required to be fully prepaid with postage stamps of the country of origin, viz:

2. For a parcel not exceeding four hundred and sixty grams or one pound in weight, twelve cents; and for each additional four hundred and sixty grams or one pound, or fraction thereof, twelve cents.

3. The packages shall be promptly delivered to addresses at the post-offices of address in the country of destination, free of charge for postage; but the country of destination may at its option, levy and collect from the addressee for interior service and delivery a charge not exceeding five cents on each single parcel of whatever weight; and if the weight exceeds four hundred and sixty grams or one pound, a charge equal to one cent for each one hundred and fifteen grams or four ounces, of weight, or fraction thereof.

ARTICLE V.

1. The sender will, at the time of mailing the package, receive a receipt of mailing from the post-office where the package is mailed on a form like Model I annexed hereto.

2. The sender of a package may have the same registered by paying the registration fee required for registered articles in the country of origin.

3. An acknowledgment of the delivery of a registered article shall be returned to the sender when requested, but either country may require of the sender prepayment of a fee therefor not exceeding five cents.

4. The addressees of registered articles shall be advised of the arrival of a package addressed to them, by a notice from the post office of destination.

ARTICLE VI.

1. The sender of each package shall make a customs declaration, pasted upon or attached to the package, upon a special form provided for the purpose (see Model 2 annexed hereto) giving a general description of the parcel, an accurate statement of the contents and value, date of mailing, and the sender's signature and place of residence, and place of address.

2. The packages in question shall be subject in the country of destination to all customs duties and all customs regulations in force in that country for the protection of its customs revenues; and the customs duties properly chargeable thereon shall be collected on delivery, in accordance with the customs regulations of the country of destination.

ARTICLE VII.

Each country shall retain to its own use the whole of the postages, registration, and delivery fees it collects on said packages; consequently, this convention will give rise to no separate accounts between the two countries.

ARTICLE VIII.

1. The packages shall be considered as a component part of the mails exchanged direct between the United States of America and the Hawaiian Kingdom, to be despatched by the country of origin to the other at its cost and by such means as it provides, in boxes prepared expressly for the purpose, or ordinary mail sacks, to be marked "Parcels post," and to be securely sealed with wax or otherwise, as may be mutually provided by regulations hereunder.

2. Each country shall return to the despatching office by next mail all bags, boxes, or sacks used in the exchange of parcels.

3. Although articles admitted under this convention will be transmitted as aforesaid between the exchange offices, they should be so carefully packed as to be safely transmitted in the open mails of either country, both in going to the exchange office in the country of origin and to the office of address in the country of destination.

4. Each despatch of a parcel post mail must be accompanied by a descriptive list in duplicate of all the packages sent, showing distinctly the list number of each parcel, the name of the sender, the

name of the addressee, with address of destination, and must be enclosed in one of the boxes or sacks of such despatch under the form of Model 3, annexed hereto.

ARTICLE IX.

Exchanges of mails under this convention from any place in either country to any place in the other shall be effected through the post-offices of both countries already designated as exchange post-offices, or through such others as may be hereafter agreed upon, under such regulations relative to the details of the exchanges, as may be mutually determined to be essential to the security and expedition of the mails and the protection of the customs revenues.

ARTICLE X.

1. As soon as the mail shall have reached the exchange office of destination that office shall check the contents of the mails.

2. In the event of the parcel bill not having been received a substitute should at once be prepared.

3. Any errors in the entries on the parcel bill which may be discovered shall, after verification by a second officer, be corrected and noted for report to the despatching office on a form, "verification certificate," which shall be sent in the special envelope.

4. If a parcel advised on the bill be not received, after the non-receipt has been verified by a second officer, the entry on the bill should be canceled and the fact reported at once.

5. Should a parcel be received in a damaged or imperfect condition full particulars shall be reported on the same form.

6. If no verification certificate or note of error be received a parcel mail shall be considered as duly delivered, having been found on examination correct in all respects.

ARTICLE XI.

If a package can not be delivered as addressed, or is refused, the sender will be communicated with through the central administration of the office of destination as to the manner in which he desires the package to be disposed of, and if no reply is received from him within a period of three months from the date of the notice, the package may be sold for the benefit of whom it may concern.

An order for redirection or reforwarding must be accompanied by the amount due for postage necessary for the return of the article to the office of origin, at the ordinary parcel rates.

When the contents of a parcel which can not be delivered are liable to deterioration or corruption, they may be destroyed at once, if necessary, or if expedient, sold, without previous notice or judicial formality, for the benefit of the right person, the particulars of each sale being noticed by one post-office to the other.

ARTICLE XII.

The Post-Office Department of either of the contracting countries will not be responsible for the loss or damage of any package, and no indemnity can consequently be claimed by the sender or addressee in either country.

ARTICLE XIII.

The Postmaster-General of the United States of America and the postmaster-general of the Hawaiian Kingdom shall have authority to jointly make such further regulations of order and detail as may be found necessary to carry out the present convention from time to time; and may by agreement prescribe conditions for the admission to the mails of any of the articles prohibited by Article II of this convention

ARTICLE XIV.

This Convention shall be ratified by the contracting countries in accordance with their respective laws, and its ratifications shall be exchanged at the City of Washington as early as possible. Once ratified, and its ratifications exchanged, it shall take effect, and operations thereunder shall begin on the 1st day of March, 1889, and shall continue in force until terminated by mutual agreement, but may be annulled at the desire of either Department upon six months previous notice given to the other.

Done in duplicate, and signed at Washington the 19th day of December, one thousand eight hundred and eighty-eight.

[SEAL.]

DON M. DICKINSON,

Postmaster-General of the United States of America.

[SEAL.]

H. A. P. CARTER,

*Envoy Extraordinary and Minister Plenipotentiary
of the Hawaiian Kingdom.*

The foregoing Parcels Post Convention between the United States of America and the Hawaiian Kingdom has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof I have caused the Great Seal of the United States to be hereunto affixed.

[SEAL.]

GROVER CLEVELAND.

By the President:

T. F. BAYARD,

Secretary of State.

WASHINGTON, D. C., January 29, 1889.

The foregoing Parcels Post Convention between the Hawaiian Kingdom and the United States of America has been negotiated and concluded with my advice and consent, and is hereby approved and ratified.

In testimony whereof I have caused the Great Seal of the Hawaiian Kingdom to be hereunto affixed.

[SEAL.]

KALAKAUA, REX.

By the King:

JONA. AUSTIN,

Minister of Foreign Affairs.

HONOLULU, January 10, 1889.

173

Parcel post.

Parcel post between the United States and Hawaii.

Place to which
the parcel is
addressed.

Date of posting....., 18..; signature and address of sender {
 For use of post-office only, and to be filled up at the office of exchange.
Parcel Bill No.....; No. of rates prepaid.....; Entry No.....

FORM No. 3.

Date stamp of the United States post- office.	<i>Parcels from the United States for Hawaii.</i>	Date stamp of the Hawaiian post-office.
	Parcel Bill No....., dated..... 18..; by "S.S....."	
* Sheet No.....		

Entry No.	Origin of parcel.	Name of addressee.	Address of parcel.	Remarks.

When more than one sheet is required for the entry of the parcels sent by the mail, it will be sufficient if the undermentioned particulars are entered on the last sheet of the parcel bill.

Us.

* Total number of parcels sent by the mail to Hawaii * Total weight of mail

* Number of boxes or other receptacles forming the mail * Deduct weight of receptacles

Signature of dispatching officer at the United States post-office..... Net weight of parcels

Signature of receiving officer at Hawaiian post-office.
.....

Mr. Merrill to Mr. Blaine.

No. 255.]

LEGATION OF THE UNITED STATES,
Honolulu, August 1, 1889.

SIR: I have the honor to inclose a very full account, from the "Bulletin" of Honolulu, of an attempt made on the 30th ultimo, by about 100 half-castes and natives, under the leadership of Robert W. Wilcox and Robert Boyd, two half-caste Hawaiians, to overthrow the present Government of Hawaii and depose the King.

This is supposed to be their purpose, although their exact intention is not yet fully known.

About 6 o'clock a. m. a message from the King informed me that an armed party, led by Mr. Wilcox, was in possession of the palace

grounds, and soon thereafter it was learned that insurgents were in charge of the building containing the Government offices.

As soon as possible I had communication with Commander Woodward of the U. S. S. *Adams*, and at once all necessary preparations were made to land a force, if found necessary for protection of the people and property interests.

Soon thereafter I met His Majesty's minister of foreign affairs, who informed me that a cabinet council would be held forthwith.

Soon after the news of the affair became generally known, the British, Portuguese, and French commissioners called at the legation, and while comparing information regarding the situation, Mr. Damon, the newly appointed minister of finance, arrived and stated that it was the desire of His Majesty's ministers to meet the foreign representatives at once. It was deemed advisable to comply with this request without delay. On meeting the ministers they stated that they desired to fully inform us of their contemplated action in the present emergency, and that they had determined to occupy the tops of the buildings commanding a view of the palace grounds, with sharpshooters, for the purpose of preventing the use of the cannon which were known to be in the possession of the insurgents inside the walls inclosing the palace grounds, gradually surround and finally dislodge them with other forces.

After learning the intention of the Government to operate at once with an armed force, I suggested the propriety of Mr. Damon, one of the members of the cabinet who speaks the native language, endeavoring to communicate with Mr. Wilcox, the leader of the insurgents, and ascertain, if possible, the cause of his action and what his demands were, if any; then if Mr. Damon failed, that the representatives of foreign powers endeavor to obtain an interview with Wilcox, and by their good offices effect a peaceful settlement if possible.

This was cordially agreed to by all and the representatives withdrew with the understanding that Mr. Damon would inform us of the result of his mission. In about one-half hour Mr. Damon reported to me at the legation that Mr. Wilcox refused to receive any communication from him whatever, and that while he was seeking to communicate with him firing commenced; he deemed it not only imprudent, but suicidal for anyone to attempt to approach the palace grounds on a peace mission.

At this juncture, as the report of small arms and cannon came from the palace grounds and immediate vicinity quite rapidly, and as many with alarm were coming to the legation, I at once requested Commander Woodward to send to the legation a body of marines, which request he promptly complied with.

The appearance of the marines on the streets and at the legation had a very favorable effect on the populace. Soon the report of the large guns ceased by reason of the inability of the insurgents to operate them in the presence of the fire of the sharpshooters on the tops of the surrounding buildings.

The "bungalow" mentioned in the newspaper account and into which the insurgents retreated is a frame building situated in the corner of the palace grounds sometimes used by the King as a dwelling and for offices.

The palace square comprises about 4 acres, situate two blocks from the central business part of the city, and is entirely inclosed by a concrete wall about 8 feet high, while the King's palace is situated in the center of the square.

In the afternoon, and as soon as I ascertained from one of the cabinet ministers that an attempt would be made to dislodge the insurgents from the "bungalow" before dark by the use of dynamite, and as there were large crowds of people congregated on the streets, I deemed it advisable to ask for the landing of the remainder of the forces from the *Adams* before dark as a precautionary measure in the event any assistance to preserve order might be required, and to be immediately available in the event a conflagration should start. In this matter Commander Woodward fully agreed, and by permission of the minister of foreign affairs the forces landed about 5 o'clock p. m. Early the following morning all the men belonging to the *Adams* returned to the ship.

The members of the cabinet and many prominent residents expressed much commendation of the prompt landing of the men, and remarked upon the very salutary effect their presence seemed to have among the people on the streets.

The U. S. S. *Adams* was the only naval vessel in port. The British ship *Espiegle* recently left under sealed orders on a cruise south.

This disturbance at this time was wholly unexpected by the Government officials as well as nearly every permanent resident.

Although for several weeks it was known that Wilcox was endeavoring to draw around him as many disappointed native political aspirants as possible, yet it was recently ascertained on what seemed very reliable authority that no overt acts would be committed prior to the next general election in February, when it was thought the present ministers would be defeated at the polls.

However, the success of the Government in subduing the insurgents, it is thought, will draw some to its support, and the general feeling is that the Government will be strengthened by the result of the conflict.

Immediately after the surrender of the insurgents the city was quiet and still remains so, while business is being transacted as usual. As to the exact number of the insurgents it is difficult now to determine, as some deserted in the early morning. About 80 prisoners were secured. No serious casualties occurred except to the insurgents.

In order that you may be promptly informed of the principal facts a week in advance of the regular mail, I will forward by the steamer leaving here to-morrow a telegram, to be wired from San Francisco, of which the following is a copy:

On July 30 unsuccessful attempt by about one hundred half-castes and natives to overthrow Government and depose King. Insurrection suppressed by Hawaiian Government without foreign aid. Six insurgents killed, 12 wounded. Order restored same day. Men from U. S. S. *Adams* landed by permission, to protect lives and property if found necessary; afterwards returned to ship.

Before sealing this dispatch I shall inclose clippings from newspapers giving latest intelligence, but will be unable to properly paste and arrange them.

Trusting my action may merit the approval of the Department,
I have the honor, etc.,

GEO. W. MERRILL.

Mr. Stevens to Mr. Blaine.

No. 46.]

UNITED STATES LEGATION,
Honolulu, February 8, 1892.

SIR: The semiannual election of members of the Hawaiian legislature took place February 3, after several weeks of exciting canvass. The principal issue on the part of the business men and more conservative and responsible citizens was in respect of treaty relations with the United States. These supporters of the proposed new treaty which they believe has been negotiated at Washington had the approval of the principal Government officials, though the cabinet is far from being vigorous and influential. The opposition, or Liberals, as they term themselves, composed mostly of the irresponsible white voters, half-castes, and of a large majority of the native Hawaiians, pushed their canvass on three lines—a new constitution, opposition to the present cabinet, and hostility to the proposed treaty, though it finally hedged and disclaimed more or less in regard to the last.

These so-called Liberals were led by Wilcox, the half-caste who was at the head of the revolutionary outbreak in July, 1887, and by C. W. Ashford, the Canadian member of the cabinet, who betrayed and deserted his associates when Minister Carter was trying to negotiate a new treaty in 1889. This Ashford has some ability, any amount of audacity, and is utterly without scruples, and has done his utmost to influence the prejudices and passions of the native Hawaiians. Both he and Wilcox secured their election as representatives from this island. The legislature is composed of 48 members, one-half being nobles elected by property holding or income voters. The Conservatives and friends of the treaty have secured most all of the nobles and enough of the representatives to give them a decisive majority, sufficient, it is thought, to secure the approval of the treaty, even with the Pearl Harbor grant in perpetuity. Not improbably there may be a change of cabinet when the legislature assembles in May.

There are increasing indications that the annexation sentiment is growing among the business men as well as with the less responsible of the foreign and native population of the islands. The present political situation is feverish, and I see no prospect of its being permanently otherwise until these islands become a part of the American Union or a possession of Great Britain. The intelligent and responsible men here, unaided by outside support, are too few in numbers to control in political affairs and to secure good government. There are indications that even the "Liberals," just beaten at the election, though composed of a majority of the popular vote, are about to declare for annexation, at least their leaders, their chief newspaper having already published editorials to this effect. At a future time, after the proposed treaty shall have been ratified, I shall deem it my official duty to give a more elaborate statement of facts and reasons why a "new departure" by the United States as to Hawaii is rapidly becoming a necessity, that a "protectorate" is impracticable, and that annexation must be the future remedy, or else Great Britain will be furnished with circumstances and opportunity to get a hold on these islands which will cause future serious embarrassment to the United States.

At this time there seems to be no immediate prospect of its being safe to have the harbor of Honolulu left without an American vessel of war. Last week a British gunboat arrived here, and it is said will remain here for an indefinite period.

I am, sir, etc.,
S. Ex. 77—12

JOHN L. STEVENS,

Mr. Stevens to Mr. Blaine.

No. 48.]

UNITED STATES LEGATION,
Honolulu, March 8, 1892.

SIR: In view of possible contingencies in these islands, I ask for the instructions of the Department of State on the following, viz:

If the Government here should be surprised and overturned by an orderly and peaceful revolutionary movement, largely of native Hawaiians and a provisional or republican government organized and proclaimed, would the United States minister and naval commander here be justified in responding affirmatively to the call of the members of the removed Government to restore them to power or replace them in possession of the Government buildings? Or should the United States minister and naval commander confine themselves exclusively to the preservation of American property, the protection of American citizens, and the prevention of anarchy? Should a revolutionary attempt of the character indicated be made, there are strong reasons to presume that it would begin with the seizure of the police station, with its arms and ammunition, and this accomplished, the Royal Palace and the Government building, containing the cabinet offices and archives, would very soon be captured, the latter building being situated about one-third of a mile from the police station. In such contingencies would it be justifiable to use the United States forces here to restore the Government buildings to the possession of the displaced officials? Ordinarily in like circumstances the rule seems to be to limit the landing and movement of the United States force in foreign waters and dominion exclusively to the protection of the United States legation, and of the lives and property of American citizens. But as the relations of the United States to Hawaii are exceptional, and in former years the United States officials here took somewhat exceptional action in circumstances of disorder, I desire to know how far the present minister and naval commander may deviate from established international rules and precedents in the contingencies indicated in the first part of this dispatch.

I have information which I deem reliable that there is an organized revolutionary party on the islands, composed largely of native Hawaiians and a considerable number of whites and half whites, led chiefly by individuals of the latter two classes. This party is hostile to the Queen and to her chief confidants, especially opposed to the coming to the throne of the half-English heir apparent, now being educated in England, and means to gain its object either by forcing the Queen to select her cabinet from its own members, or else to overthrow the monarchy and establish a republic with the ultimate view of annexation to the United States of the whole islands. A portion of this party mean only the former, and the other portion intend the latter. Failing to accomplish the former, the most of the party would seek the latter alternative. I have little doubt the revolutionary attempt would have been made ere this but for the presence here of the United States ship-of-war. I still incline to the opinion that the revolutionary attempt will not be made so long as there is a United States force in the harbor of Honolulu, but it would be rash to assume or assert this positively. Therefore I deem it my official duty to ask for instructions in view of possible contingencies.

I may add that the annexation sentiment is increasing, quite as much among the white residents and native Hawaiians, and other workingmen who own no sugar stock, as with the sugar planters.

I am, sir, etc.,

JOHN S. STEVENS.

Admiral Brown to the Secretary of the Navy.

Copy No. 275.] UNITED STATES CRUISER SAN FRANCISCO,
FLAGSHIP OF THE PACIFIC STATION,
San Francisco, Cal., September 6, 1892.

HON. SECRETARY OF THE NAVY,
Navy Department, Washington, D. C. :

SIR: At the time this ship sailed from Honolulu, on the 27th ultimo, everything was extremely quiet.

There is a strong sentiment existing in Hawaii, among the native Hawaiians as well as among the Americans and Germans, in favor of a change in the form of government, looking toward the ultimate annexation of the islands to the United States.

This subject of annexation has been freely discussed by individuals for a long time, but until very recently there has been no combined concert of action. There now exists in Honolulu an organization comprising the most prominent annexationists, which has for its object the formulation of some plan by which a change of government can be affected quietly, and with the consent and coöperation of the Queen and the members of her cabinet and staff.

It is thought that the Queen will consent to abdicate in favor of a republican form of government if she can be assured that a suitable provision will be made for her in the way of a permanent pecuniary settlement.

The organization I refer to will not countenance anything of a revolutionary character in the way of force, but expects to be aided by the majority of the Hawaiians who now favor annexation without having any ideas of how such an event can be reached.

A change in the present cabinet will certainly be made before the present legislature adjourns. There is trouble in obtaining a new cabinet, because the reform parties can not agree on the men to go into the different positions. The liberal party is in the majority, and will not be allowed to have any voice in the question of the new ministry.

Very respectfully, your obedient servant,

GEO. BROWN,
Rear-Admiral U. S. Navy,
Commanding U. S. Naval Force, Pacific Station.

Mr. Stevens to Mr. Foster.

[Confidential.]

No. 65.] UNITED STATES LEGATION,
Honolulu, September 14, 1892.

SIR: In my dispatch, No. 64, of September 9, I expressed the hope that I would be able to send the information by this mail that a new Hawaiian cabinet had been formed to take the place of the one so emphatically voted out by the legislature, but the deadlock between the Queen and the legislature continues. She has announced a new cabinet, but it is so unsatisfactory to the legislative majority and the business men of the islands that it will undoubtedly be rejected to-day; but the vote will not be taken in time to send the information of the fact by this mail, which closes at 11 a. m. The Tahitian half-caste fa-

vorite of the Queen, the marshal of the little kingdom, and his band of adventurers, still dominate the palace and defy the responsible men of the legislature and the islands. An associate of the half caste favorite is an American renegade by the name of Whaley, a disgraced and expelled San Francisco custom-house official, now at the head of the "opium ring," and one of the supposed owners of the *Halcyon*, the notorious smuggling schooner which flits between these islands and British Columbia. This man Whaley has more brain than the Tahitian favorite.

The better portion of the English residents are in substantial accord with the principal Americans in support of the legislature, and the chief German commercial houses and influential German residents are in full agreement with the Americans; but more or less of the English are so jealous of the strong American sentiment in the legislature that they support the Queen and the Tahitian favorite openly or covertly. The native Hawaiians, composing half of the legislature, are about equally divided. The unscrupulous adventurers of different nationalities—Americans, English, and Germans, without character, and most of them without property—are with the half-caste Tahitian favorite and the Queen. A majority of the legislature and the best citizens of the islands are exercising remarkable forbearance and self-control.

It is proper for me to say that just at this time Mr. Mott Smith, the present minister at Washington, is likely to be misinformed as to the real condition of things, for the rejected minister of foreign affairs, a native Hawaiian, of the Queen's supporters, still occupies the foreign office, and the American deputy would hardly dare to send any advices to Minister Smith not indorsed by the acting head of the department.

The U. S. S. *Boston* is in the harbor, and Capt. Wiltse will cooperate with me in exercising careful circumspection. In about twelve days from this I can send another dispatch.

I am, sir, etc.,

JOHN L. STEVENS.

Capt. Wiltse to the Secretary of the Navy.

U. S. S. BOSTON (SECOND RATE),
Honolulu, Hawaiian Islands, October 12, 1892.

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.:

SIR: I have the honor to report that on the 14th of September the introduction in the Hawaiian legislature of a want of confidence resolution in the new ministry resulted in a vote of 24 to 21 in favor of the resolution.

The opposition claimed that the resolution had passed, but the ministry declared it required a vote of 25 to pass, and the chair sustained them. As the question hinged on an interpretation of the constitution, the matter was referred to the supreme court, which decided in favor of the ministry.

On October 4 an election was held to fill the vacant seats of two members. The ministerial party raised the cry of anti-annexation and were ardently supported by the British and other foreigners. Unwarranted attacks were made (in my opinion for political purposes) up-

on the United States representatives by anonymous writers in the official organ of the Government. The election resulted in a victory for the ministry.

The British representatives manifest the most unusual interest, publicly, in all political proceedings. The action of the ministry, with possibly one exception, and of the English element, is plainly in opposition to the United States.

There is a large and growing sentiment, particularly among the planters, in favor of annexation to the United States, but I am informed that the leaders do not think an opportune moment will arrive for some time to come. However, everything seems to point toward an eventual request for annexation.

The political situation at present is more quiet and will probably remain so until another resolution of want of confidence is passed, which is not likely in the immediate future.

The financial question is the most important question to be met by the ministry.

Very respectfully,

G. C. WILTSE,
Captain, Commanding.

Capt. Wiltse to the Secretary of the Navy.

U. S. S. BOSTON (SECOND RATE),
Honolulu, Hawaiian Islands, October 20, 1892.

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.:

SIR: I have the honor to report that, since my last letter, on Monday, October 17, a want of confidence resolution was unexpectedly introduced and passed by a vote of 31 to 15, forcing the ministry to resign.

The political situation is still unsettled.

It is thought that the names of the new cabinet will be sent to the legislature by Monday next, October 24. If the new ministry is acceptable to the majority, legislation will be resumed and affairs become more settled. If, however, the Queen persists in consulting only her own inclination, regardless of the wishes of the opposition, which is a large majority, it is difficult to predict what will be the outcome.

I inclose a paper giving an account of the proceedings, etc., when the want of confidence resolution was introduced.

Very respectfully,

G. C. WILTSE,
Captain, Commanding.

Mr. Stevens to Mr. Foster.

[Confidential.]

No. 72.]

UNITED STATES LEGATION,
Honolulu, October 31, 1892.

SIR: In dispatch 71 of October 19 I gave account of the rejection of the new cabinet appointed by the Queen in defiance of a previously expressed majority of the legislature. The deadlock continues. Though two weeks have elapsed since the decisive action of the legis-

lature no ministers have been designated to fill the vacancies. The Tahitian favorite and the Queen still refuse to take the legislative majority and the leading business men of the islands into their confidence. The palace is still thronged and surrounded by the worst elements, and the responsible citizens feel that they are not welcomed as advisors. The Queen and the Tahitian have made several new ministerial slates with one responsible man and three of the other kind; but no responsible man, so far, can be found who will go into the cabinet with the three whom only a minority of the legislature will accept.

Thus there is here, on a small scale, the old historic issue between autocracy and parliamentary responsibility. The foreign adventurers and renegades stand by the Tahitian favorite because he is the instrument which they can use, and he adheres to them because he needs their support. In the meantime the legislature is unable to do business and has been in session only a few hours for several weeks. If that body holds firm, the Queen will have to yield, and a responsible minority would probably be the result. The ultra-English influence is strongly with the half-English Tahitian favorite and the Queen, for the one reason only, that the success of the legislative majority would be the appointment of a cabinet strongly American in sympathy and purpose. There are strong reasons for the belief that were it not for the presence of the American naval force in the harbor the Tahitian marshal and his gang would induce the Queen to attempt a coup d'etat by proclaiming a new constitution, taking from the legislature the power to reject ministerial appointments.

The recent arrival here from England of T. H. Davies, the head of a strong English house in Honolulu, formerly a resident here for many years, has served to intensify the ultra-English feeling and to strengthen the American sentiment. This T. H. Davies having made himself rich under the sugar provisions of the reciprocity treaty, now resides in England and has a kind of supervisory care of the half-white Hawaiian crown princess, for several years and still at school in England. When a resident here at the time the Pearl Harbor provision was pending, Davies strongly opposed that provision. He comes now with revived zeal against the Pearl Harbor concession. It is not thought that he has any encouragement to this course from the home Government of England, but that his course is his own, and that his zeal is increased by the Canadian Pacific Railroad managers, of whom Davies is the agent. The desperate efforts of that road to save itself embrace the scheme of a cable, and Pacific steamer lines to Australia and China, including the design of antagonizing the interests of the United States in these islands. This involves the plan of controlling the Hawaiian monarchy through the present Queen and her favorite, and especially by the having in hand the crown princess, the general belief being that the present Queen will not live many years. Davies, who has this supervising care of the crown princess in England, is a tory. Of course these facts, so apparent to intelligent observers here, are telling on all friends of the United States.

The other of the two principal English commercial houses here, older and nearly as wealthy as those of Davies & Co., is thoroughly Americanized and stands firmly against the efforts of T. H. Davies, and is for the United States on every issue. This house owns several hundreds of thousands (of dollars worth?) of property in Iowa and California, its head being father-in-law of Gen. Dimond, the head of the United States mint in San Francisco.

Perhaps it is well to state that it is the rumor here that the last rejected cabinet, only holding their places until others are appointed, have sent a dispatch to Washington asking the recall of Consul General Severance. I do not credit this rumor. But influential parties have called at this legation who say that if any such step has been taken by this rejected cabinet, the American merchants and business men, as well as other leading citizens, will send a strong memorial to the Department of State against any such action of a dead ministry. I have not encouraged any such action in our behalf, believing it to be unnecessary. So far I am supported here by all the responsible Americans and others to a degree more than I had the right to expect. This so much the more impresses on me the necessity of prudence as well as of firmness. To keep the Department of State well informed as to affairs here, I deem it well to give these particulars.

I am, sir, etc.,

JOHN L. STEVENS.

[Later.]

NOVEMBER 1, 1892.

Names of the new cabinet sent to the legislature this morning. Resolution of "want of confidence" passed in one house, and thirty minutes after the names of the new ministry were read, and only 13 votes out of 48 members of whom the legislature is composed were in their favor. The strongest objections are to the minister of foreign affairs and to the minister of finance—Joseph Mamohi and William H. Cornwell—both of them unqualified and very unacceptable to the more responsible men of all nationalities. As they will assume to hold their places until their successors shall have been appointed, they may attempt to do some strange things. As Cornwell, for some reason, is hostile to the American minister and to the consul-general, would not be surprised should he induce his associates to ask for our recall. Possibly they may hold their places one week, as the legislature has adjourned for six days to allow the Queen time to select their successors.

JOHN L. STEVENS.

Capt. Wiltse to the Secretary of the Navy.

U. S. S. BOSTON (SECOND RATE),
Honolulu, Hawaiian Islands, November 1, 1892.

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.:

SIR: Respecting the state of political affairs in the Hawaiian Kingdom, I have the honor to report that, after much delay, a cabinet was sent to the legislature to-day and was immediately voted out by a vote of 26 to 13.

The legislature then adjourned until November 7, having yesterday refused to pass appropriation bills for the running expenses of the Government. Meanwhile the salaries of all officials are overdue and must

remain unpaid until the legislature appropriates the money according to law.

The Queen persists in refusing to appoint a cabinet in conformity with the wishes of the majority, and it is possible that her obstinacy may precipitate a crisis.

Very respectfully,

G. C. WILTSE,
Captain, U. S. Navy, Commanding U. S. S. Boston.

Capt. Wiltse to the Secretary of the Navy.

U. S. S. BOSTON (SECOND RATE),
Honolulu, Hawaiian Islands, November 9, 1892.

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.:

SIR: I have the honor to report that the danger of a political crisis in the Hawaiian Kingdom seems to have passed.

The Queen has appointed a cabinet, after much pressure had been brought to bear, that is strong financially and favorable to American interests. The new ministry will probably be supported by the legislature, although much opposition has been aroused among the native members because they are not represented. It is doubtful, however, if the natives can secure enough votes to vote the cabinet out, though they would do so if possible.

I am informed, from reliable sources, that the Queen had been strongly advised to dissolve the legislature and order a new election, which would have been unconstitutional, and which would probably have caused a revolution; but she was deterred by the presence of United States vessels of war.

I inclose paper containing editorials on the situation.

Very respectfully,

G. C. WILTSE,
Captain, Commanding U. S. S. Boston.

Mr. Stevens to Mr. Foster.

[Confidential.]

No. 74.]

UNITED STATES LEGATION,
Honolulu, November 20, 1892.

SIR: Fidelity to the trust imposed on me by the President, the Department of State, and the Senate, requires that I should make a careful and full statement of the financial, agricultural, social, and political condition of these islands. An intelligent and impartial examination of the facts can hardly fail to lead to the conclusion that the relations and policy of the United States toward Hawaii will soon demand some change, if not the adoption of decisive measures, with the aim to secure American interests and future supremacy by encouraging Hawaiian development and aiding to promote responsible government in these islands. It is unnecessary for me to allude to the deep interest and the settled policy of the United States Government in re-

spect of these islands, from the official days of John Quincy Adams and of Daniel Webster to the present time. In all that period, we have avowed the superiority of our interests to those of all other nations, and have always refused to embarrass our freedom of action by any alliance or arrangement with other powers as to the ultimate possession and government of the islands. Before stating the present political condition of the little kingdom, it is well to review the substantial data as to its area, its resources, its financial and business condition, its capabilities of material development, its population, the status of its landed property, its government, revenues, and expenditures, etc.

PHYSICAL DIMENSIONS.

The total area of the kingdom is about 6,000 square miles. Not including several small islands of little importance, the chief value of the land area is in the six islands of Oahu, Kauai, Maui, Molokai, Lanai, and Hawaii, the last named being nearly the size of all the rest of the group. The plains, valleys, and lowlands are fertile, while the highlands are adapted to the raising of extensive herds of cattle, horses, and sheep. The arable lands are adapted to the production of sugar, coffee, rice, bananas, oranges, lemons, pineapples, grapes and maize. Of the arable lands only such as are fitted for the production of sugar and rice have been much brought into use. The coffee raised is of superior quality, and finds ready market for home consumption and in San Francisco. There is no doubt that this product can be greatly extended. This opinion is sustained by the examination of experts and has been verified by successful results in coffee-raising, to which there is now being given special attention.

The banana culture can be greatly extended, and the opportunities for the production of oranges are large and promising. Ripening at a time in the year different from those of southern California, the Hawaiian oranges can find a ready market in San Francisco, and especially in the cities of Oregon and Washington, where the islands procure most of their lumber for buildings and fences, and from which they procure coal, the consumption of which will necessarily increase for use in the sugar mills and the supply of steamers. For a quarter of a century the profits of sugar-raising have tended to divert capital and enterprise almost exclusively to the cane culture, to the neglect of the other industries and interests of the islands. Good government and the building of necessary roads and bridges, the Government assumption of the "crown lands," and the conversion of them into small homesteads for raising the crops already specified, would speedily stimulate general prosperity and increase the American and European families and freeholders, and aid to constitute a large number of responsible voters, thus giving stability to legislation and government.

There are nearly 900,000 acres of "crown lands," and these, in the main, are among the most valuable of the islands. The rent paid for them goes to the Sovereign, and the amount of the income received is no doubt much less than it would be if these lands were owned and managed by private individuals. There have long been more or less abuses in the leasing of these lands, and it is well understood that the leases have been prolific sources of political favoritism and corruption. Well handled and sold at fitting opportunities, the proceeds of the crown lands would pay the national debt, provide adequate pensions for the two or three royalties, in case monarchy should

be abolished, and yet leave a balance of considerable amount for a permanent school fund.

COMMERCIAL AND NAVAL IMPORTANCE OF THE ISLANDS.

The value of the Hawaiian Islands to the United States for commercial and naval purposes has been well understood by American statesmen for more than half a century. The examination of the Hawaiian harbors and a careful consideration of their capabilities of defense, twenty years since, by Gen. Scofield and naval officers, whose opinions are on record in the Washington departments, plainly indicate how important these islands and harbors are to the future American commerce of the Pacific. Even to a nonexpert the great value and the easy defensibility of the harbors of Pearl City and of Honolulu are unmistakably obvious. Only six miles from each other, with narrow entrances backed by a continuous wall of mountains, each terminus of this natural barrier reaching to the sea, at relatively small expense these harbors can be impregably fortified against all attack by sea and land. The harbor of Honolulu can now be entered by ships drawing 30 feet of water. But Pearl Harbor is larger and much preferable for naval purposes. It is only necessary to deepen the entrance by removing the bar of coral formation. This coral obstruction can be removed with comparative ease, and the expense would not be large. Opinions of practical men here, who have had to do with these coral formations, as well as my personal observation, go to show how readily it can be removed by modern explosives and the improved mechanical agencies.

With a large island between it and the sea, a capacious, safe, and beautiful harbor is secured for American commercial and military marine just where the future greatness and the necessities of the United States imperatively require. Only those who have carefully examined the vast resources of the American Pacific States, and considered that nearly two-fifths of the immense area of the United States, through the transcontinental railways and by rivers and sounds, outlet on the Pacific, and have studied the data surely pointing to the vast future commerce of this western world, can adequately appreciate the importance of these harbors to the American nation, and the necessity of securing them against foreign rivals. If we neglect them the present occupants must suffer, and their necessities will force them in directions unfriendly to American interests. Circumstances are pressing, and no time should be lost in looking at the facts as they really exist. The strong inclination of several European powers to gain possession of all the islands in the Pacific, except such as are expressly protected by the United States, is plainly shown by what has taken place in recent years.

The seizure of Gilbert, Johnson, and other islands, in the past few months, and what recently transpired in regard to Samoa, emphatically show that England certainly has not moderated her policy in the indicated regard, to which course the Canadian Government is undoubtedly the inspiring cause. The enormous cost of the Canadian Pacific Railway impels its managers to make the most desperate efforts to secure freight and passengers, and hence its aggressive plans to secure Pacific commerce and to gain political and commercial influence in these islands. The scheme of a British cable from Vancouver via Honolulu, as well as to Japan and China, and of establishing commercial and mail lines of steamers on the same routes, is not an idle dream. Powerful agencies are already working to these ends, and to effectively safeguard American interests on the Pacific and in these islands there is no time for

hesitation and delay. If the United States Government does not very promptly provide for laying a cable from San Francisco or San Diego to Honolulu or Hilo, it may be regarded as certain that a cable will be laid by British capital and be controlled by British managers. Pearl Harbor for a coaling station and an American cable between California and Hawaii are of immediate importance to American commercial and naval interests and to the maintenance of American influence on these islands.

THE GOVERNMENT OF THE ISLANDS.

A question of vital importance to Hawaii and of American interest in and care for its future is that of its government. There has been in the last twenty years a great change in the political status of things here. Formerly the facts and circumstances appertaining to government on these islands were essentially different from what they are to-day. Then the population was chiefly native Hawaiian. The natives had long lived under a kind of feudal system, with rigid laws and customs, which gave to the numerous chiefs and the King absolute despotic power. The wisdom and the religious zeal of the Christian missionaries enabled them to acquire and exercise a strong influence for good over the chiefs and King as well. Thus a system of government and laws were established which were a great improvement on the former condition of things. The general good character of the men who effectively aided the Hawaiian monarch to carry on the Government for years secured fairly successful administration of law and the maintenance of public order at limited cost, the public revenues being small. But the numerous Hawaiian chiefs are in their graves. Their families are extinct. The original native Hawaiians are now so decimated as to number less than two-fifths of the population of the islands.

The coming to the throne of the late King Kalakaua in 1873 was by legislative election, and but for the presence in the harbor and on shore of American marines and sailors, of the United States vessels of war, he would have failed to secure his crown against a determined mob in the interest of another aspirant. The great prosperity of the islands under the reciprocity treaty, stimulating the production of sugar, leading to a large American, European, and Asiatic immigration, caused a large increase of the Government revenues. This prosperous state of things also soon resulted in a large increase of the Government expenditures, in the addition of new offices, a large augmentation of salaries, thus stimulating the desire for official places and patronage, exciting the greed of adventurous and too often unworthy political partisans. Easy going, unused to and incapable of safe and economical administration, the King, Kalakaua, too often, in his seventeen years of reign, fell into the hands of unscrupulous associates and advisers. The Government expenditures soon reached figures much above what the area and population of the little kingdom justified. But so long as the great profits of sugar-raising under the American tariff flowed into the islands, the excessive Government expenses could be paid without the principal taxpayers very sensibly realizing the burden.

The adoption of a new constitution in 1887, taking from the King much of his former power and establishing legislative and ministerial responsibility, effected a beneficial change. But the great reduction of the profits of sugar-raising, rendering some of the plantations nearly worthless, and greatly lessening the income and market value of the others, has brought a condition of affairs which compels all the reflect-

ing and responsible citizens to see that the present expenses of the Government are much beyond what the islands can pay and much higher than wise legislation and proper economic administration require. But the difficulty of getting out of the old grooves, of scaling down salaries, and abolishing useless offices is hard to overcome. Nearly one-half of the population of the country have no voice in political affairs, unless exerted through corruption and bribery. The voting population is made up of several nationalities—Hawaiian, Portuguese, American, English, German, and others, the more intelligent and responsible of these generally acting together sufficiently to exercise a beneficial influence on legislation and administration. But the palace patronage and influence are still considerable, costing the country more than it is able to pay and returning to the country no positive advantages.

Directly and indirectly, the palace probably costs the little kingdom \$150,000 per year. A governor, at \$5,000 a year, acting in harmony with the responsible men of the legislature, would be far better for the islands than the present monarchical Government. In truth, the monarchy here is an absurd anachronism. It has nothing on which it logically or legitimately stands. The feudal basis on which it once stood no longer existing, the monarchy now is only an impediment to good government—an obstruction to the prosperity and progress of the islands. Incapable of comprehending the principles of constitutional government, more likely to take the advice of unworthy counsel than of the more competent, the reigning Sovereign insists in dealing with what properly belongs to the legislature and to the ministers. Thus the palace is constantly open to superficial and irresponsible courtiers and to unprincipled adventurers of different nationalities. Instead of exercising a salutary influence on public affairs it is the center of maladministration and of the most vicious kind of politics. It is now, and it has been for the last twenty years, and is always likely to be, a fruitful source of public demoralization.

It may be asked why do not the people of the islands at once reform this state of things? There is a considerable number of intelligent, energetic, and excellent citizens, of the different nationalities, in possession of the elective franchise. They are largely Americanized in their opinions and manners. They are sympathetic with American institutions. This is so of the Portuguese, the Germans, more or less of the English, and of the native Hawaiians and half-whites, as well as of the most of those of American parentage. But these unaided and alone can not well make the necessary changes in the existing condition of things. As a crown colony of Great Britain, or a Territory of the United States, the government modifications could be made readily, and good administration of the laws secured. Destiny and the vast future interests of the United States in the Pacific clearly indicate who, at no distant day, must be responsible for the government of these islands. Under a territorial government they could be as easily governed as any of the existing Territories of the United States.

The men qualified are here to carry on good government, provided they have the support of the Government of the United States. Why not postpone American possession? Would it not be just as well for the United States to take the islands twenty-five years hence? Facts and obvious probabilities will answer both of these interrogations. Hawaii has reached the parting of the ways. She must now take the road which leads to Asia, or the other, which outlets her in America, gives her an American civilization and binds her to the care of American

destiny. The nonaction of the American Government here in thirty years will make of Hawaii a Singapore, or a Hongkong, which could be governed as a British colony, but would be unfit to be an American Territory or an American State under our constitutional system. If the American flag floats here at no distant day, the Asiatic tendencies can be arrested and controlled without retarding the material development of the islands, but surely advancing their prosperity by diversifying and expanding the industries, building roads and bridges, opening the public lands to small farmers from Europe and the United States, thus increasing the responsible voting population, and constituting a solid basis for American methods of government.

Two-fifths of the people now here are Chinese and Japanese. If the present state of things is allowed to go on the Asiatics will soon largely preponderate, for the native Hawaiians are now decreasing at the rate of nearly one thousand per year. At the present prices of sugar, and at the prices likely to hold in the future, sugar-raising on these islands can be continued only by the cheapest possible labor—that of the Japanese, the Chinese, and the Indian coolies. Americanize the islands, assume control of the “crown lands,” dispose of them in small lots for actual settlers and freeholders for the raising of coffee, oranges, lemons, bananas, pineapples, and grapes, and the result soon will be to give permanent preponderance to a population and a civilization which will make the islands like southern California, and at no distant period convert them into gardens and sanitariums, as well as supply stations for American commerce, thus bringing everything here into harmony with American life and prosperity. To postpone American action many years is only to add to present unfavorable tendencies and to make future possession more difficult.

It is proper to consider the following facts: The present Sovereign is not expected to live many years. The princess heir apparent has always been, and is likely always to be, under English influence. Her father is British in blood and prejudices, firmly intrenched here as collector of customs, an important and influential office. She has been for some years and still is in England; her patron there who has a kind of guardianship of her, T. H. Davies, is a Tory Englishman, who lived here many years, who still owns large property in the islands, and is a resolute and persistent opponent of American predominance, bitterly denouncing even the American acquisition of Pearl Harbor. Mr. Wodehouse, the English minister, has long resided here; his eldest son is married to a half-caste sister of the Crown Princess, another son is in the Honolulu post-office, and a daughter also is married to a resident of one of the islands. The death of the present Queen, therefore, would virtually place an English princess on the Hawaiian throne, and put in the hands of the ultra-English the patronage and influence of the palace.

In the existing state of things, with non-American intervention, these palace influences, skillfully handled, are nearly equal, frequently superior, to the power of the legislature. Add to this palace power, in British hands, the influence of an adventurous, impecunious, and irresponsible mob of “hoodlums” and there results a state of things which would put it in the power of Canadian and ultra-British schemers, with a subsidy fund of \$50,000, to secure control of the legislature, and by prompt and vigorous action secure Canadian and British franchises, privileges, and rights entirely legal, to get rid of which would cause embarrassment and expense to the United States and her allies here. As is well known to the Department of State, Secretary Marcy,

with the approval of President Pierce and Cabinet, authorized the negotiation of a treaty for making these islands a Territory of the United States. Commissioner Gregg was authorized to facilitate the negotiation by the promise to pay \$100,000 for pensions to the King, chiefs, and other official persons, on condition that the sovereignty and property of the islands should be transferred to the United States.

Commissioner Gregg exceeded his instructions by stipulating to pay, in all, three times the sum which Secretary Marcy named in his instructions. These terms were deemed onerous and unacceptable by the Washington Department of State, and consequently the treaty was dropped, after all negotiations had been completed, the King finally being induced by his Scotch minister of foreign affairs not to sign it, though the King and cabinet had previously given their support to the spirit and terms of the negotiations and the conclusions reached. The embarrassments and objections that then existed as to the number of the royal princes and chiefs, the small number of the American population, the want of ready communication with the United States, and distance from Washington, now no longer stand in the way of making Hawaii a well governed and prosperous United States Territory. The reasons for annexation in 1854 were certainly much less adequate and pressing than they are now.

THE EXISTING BUSINESS STATUS.

It is well to consider the existing state of things here resulting from the change in the United States sugar tariff. Only personal observation and a careful investigation of the facts can give an adequate idea of the severe blow sugar raised here has received. The production of sugar being the main business of the islands, the great reduction of the market price has effected powerfully the entire affairs and condition of the islands. I think it underestimating the truth to express the opinion that the loss to the owners of the sugar plantations and mills, etc., and the consequent depreciation of other property by the passage of the McKinley bill, wise and beneficial as that measure is proving to be for the vast interests of the United States, has not been less than \$12,000,000, a large portion of this loss falling on Americans residing here and in California. Unless some positive measures of relief be granted, the depreciation of sugar property here will continue to go on. Wise, bold action of the United States will rescue the property holders from great loss, give the islands a government which will put an end to a worse than useless expenditure of a large proportion of the revenues of the country, using them for the building of roads and bridges, thus helping to develop the natural resources of the islands, aiding to diversify the industries, and to increase the number of the responsible citizens.

WHAT SHOULD BE DONE?

One of two courses seem to me absolutely necessary to be followed, either bold and vigorous measures for annexation or a "customs union," an ocean cable from the Californian coast to Honolulu, Pearl Harbor perpetually ceded to the United States, with an implied but not necessarily stipulated American protectorate over the islands. I believe the former to be the better, that which will prove much the more advantageous to the islands, and the cheapest and least embarrassing in the end for the United States. If it was wise for the United

States, through Secretary Marcy, thirty-eight years ago, to offer to expend \$100,000 to secure a treaty of annexation, it certainly can not be chimerical or unwise to expend \$100,000 to secure annexation in the near future. To-day the United States has five times the wealth she possessed in 1854, and the reasons now existing for annexation are much stronger than they were then. I can not refrain from expressing the opinion with emphasis that the golden hour is near at hand. A perpetual customs union and the acquisition of Pearl Harbor, with an implied protectorate, must be regarded as the only allowable alternative. This would require the continual presence in the harbor of Honolulu of a United States vessel of war and the constant watchfulness of the United States minister while the present bungling, unsettled, and expensive political rule would go on, retarding the development of the islands, leaving at the end of twenty-five years more embarrassment to annexation than exists to-day, the property far less valuable, and the population less American than they would be if annexation were soon realized.

It may be said that annexation would involve the obligation of paying to the Hawaiian sugar-producers the same rate of bounties now paid to American producers, thus imposing too heavy a demand on the United States Treasury. It is a sufficient answer to this question to say that it could be specifically provided in the terms of annexation that the United States Government should pay 6 mills per pound—\$12 per ton—to the Hawaiian sugar-raisers, and this only so long as the present sugar-bounty system of the United States shall be maintained. Careful inquiry and investigation bring me to the conclusion that this small bounty would tide the Hawaiian sugar-planters over their present alarming condition and save the islands from general business depletion and financial disaster. Could justice to American interests in the islands and care for their future welfare do less than this?

To give Hawaii a highly favorable treaty while she remains outside the American Union would necessarily give the same advantages to hostile foreigners, those who would continue to antagonize our commercial and political interests here, as well as those of American blood and sympathies. It is a well authenticated fact that the American sentiment here in 1890, the last year of the great prosperity under the sugar provisions of the reciprocity treaty, was much less manifest than before the treaty had gone into effect, and less pronounced than when Secretary Marcy authorized the negotiation of the annexation treaty in 1854. It is equally true that the desire here at this time for annexation is much stronger than in 1889. Besides, so long as the islands retain their own independent government there remains the possibility that England or the Canadian Dominion might secure one of the Hawaiian harbors for a coaling station. Annexation excludes all dangers of this kind.

Which of the two lines of policy and action shall be adopted our statesmen and our Government must decide. Certain it is that the interests of the United States and the welfare of these islands will not permit the continuance of the existing state and tendency of things. Having for so many years extended a helping hand to the islands and encouraging the American residents and their friends at home to the extent we have, we can not refrain now from aiding them with vigorous measures, without injury to ourselves and those of our "kith and kin," and without neglecting American opportunities that never seemed so obvious and pressing as they do now. I have no doubt that

the more thoroughly the bed rock and controlling facts touching the Hawaiian problem are understood by our Government and by the American public, the more readily they will be inclined to approve the views I have expressed so inadequately in this communication.

I am, sir, your obedient servant,

JOHN L. STEVENS.

Hon. JOHN W. FOSTER,
Secretary of State.

NOTE.—On the following pages will be found statistics from the Hawaiian census reports of 1890, touching the population, the different nationalities, the principal property owners, the amount of Government revenues and expenditures, Government property, etc., which will help educate the views I have expressed in the preceding pages.

J. L. S.

